

CABINET (SPECIAL MEETING)**HELD: 29 FEBRUARY 2012**

Start: 7.00pm

Finish: 7.10pm

PRESENT:

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

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

In attendance Councillors:	Fillis	Pendleton
	Moran	Sudworth

Officers

Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing and Regeneration (Mr B Livermore)
Borough Treasurer (Mr M Taylor)
Property Services Manager (Mr P Holland)
Business Development Manager (Mr W Berkley)
Assistant Member Services Manager (Mrs J Denning)

124. APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

126. DECLARATIONS OF INTEREST

There were no declarations of interest.

127. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matter requiring a decision as contained on pages 1393 to 1431 and 1433 of the Book of Reports.

128. FIRBECK AND FINDON, SKELMERSDALE

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration in relation to a proposal to make improvements to Findon and Firbeck, Skelmersdale.

The Assistant Director Housing and Regeneration circulated a letter from the Tenants and Residents' Forum which outlined its comments on the report.

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 scheme for improvement at Appendix A to the report be approved for consultation purposes.
- (B) That Council be asked to provide funding, as set out in paragraph 7 of the report, to support the scheme either now or over a period of time.
- (C) That subject to funding being approved, the Assistant Director of Housing and Regeneration be authorised to appoint dba Management Consultants to undertake a consultation exercise as set out in Appendix B to the report.
- (D) That an exception to Contract Procedure Rule 6 be made in relation to (C) above for the reasons set out in paragraph 5 of the report.
- (E) That the Assistant Director of Housing and Regeneration be authorised to negotiate and agree with the Homes and Communities Agency and St Modwens amendments to the Development Agreement and Collaboration Agreement for Skelmersdale Town Centre to enable the scheme for improvement of Firbeck and Findon as identified in Appendix A to proceed.
- (F) That the Assistant Director Housing and Regeneration suspend any letting to properties within Findon and Firbeck which, subject to consultation in (C) above, may be considered for demolition.
- (G) That the Assistant Director Community Services develop and administer a Grant scheme which will enable owners to be effective partners in the scheme.
- (H) That a further report be brought back on the results of the consultation for a final scheme to be approved together with endorsement of a grant scheme referred to in (G) above.

- (I) That a Cabinet Working Group be established to oversee the project to consist of 3 Majority Group Members and 2 Minority Group Members. Names to be submitted by Leaders of the Groups in due course.
- (J) That call-in is not appropriate for this item as the report is being submitted to Council on 29 February 2012.

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LEADER

CABINET

HELD: 13 MARCH 2012

Start: 7.30pm

Finished: 8.35pm

PRESENT:

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

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

In attendance
Councillors: Mrs. Atherley

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 Community Services (Mr D Tilleray)
Borough Treasurer (Mr M Taylor)
Borough Planner (Mr J Harrison)
Transformation Manager (Mr S Walsh)
Business Development Manager (Mr W Berkley)
Environmental Works Officer (Mr R Brown)
Principal Member Services Officer (Mrs S Griffiths)

129. APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

131. DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillor Forshaw declared a personal and prejudicial interest in agenda item 5(a) (Selective HMO Licensing – item referred by Cabinet to Executive Overview and Scrutiny Committee) in view of him being a private landlord. He left the meeting during consideration of this item.

2. Councillors Grant, Ashcroft, Fowler, Forshaw, Westley and Mrs. Atherley declared personal interests in agenda item 5(f) (Capital Programme Monitoring) in respect of Parish matters, as Members of Aughton, Hesketh with Becconsall, Scarisbrick, Hesketh with Becconsall, Halsall and Aughton Parish Councils respectively.
3. Councillors Fowler and Westley declared personal and prejudicial interests in agenda item 5(k) (War Memorial, Coronation Park, Ormskirk) in view of them being Custodian Trustees of the Comrades Club Trust. They left the meeting during consideration of this item.
4. Councillor Westley declared a personal interest in agenda item 8(b) (Human Resources and Payroll Partnership Arrangements with Lancashire County Council/One Connect Ltd.) in view of him being a Member of Lancashire County Council.

132. MINUTES

RESOLVED: That the minutes of the meetings of Cabinet held on 17 January 2012 and 29 February 2012 be approved as a correct record and signed by the Leader.

133. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 1455 to 1578 and 1609 to 1630 of the Book of Reports.

134. SELECTIVE HMO LICENSING

Councillor Mrs Hopley introduced the report of the Borough Solicitor which advised Members that no comments had been made by the Executive Overview and Scrutiny Committee at its meeting on 2 February 2012 in respect of the above-mentioned report, which had been referred to it by Cabinet at its meeting on 17 January 2012.

She went on to introduce the report of the Assistant Director Community Services which provided Members with an understanding of the Selective Licensing process for houses in multiple occupation (HMO) together with the reasons for the preferred Landlord Accreditation Scheme.

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 a selective houses in multiple occupation licensing scheme not be introduced at the current time.
 - B. That the progress of the Landlord Accreditation Scheme be monitored with the Assistant Director Community Services bringing back a report to Cabinet in September 2012.
 - C. That call-in is not appropriate for this item, as the matter has been considered by the Executive Overview and Scrutiny Committee.

135. QUARTERLY PERFORMANCE INDICATORS (OCTOBER 2011 TO DECEMBER 2011)

Councillor Westley introduced the report of the Transformation Manager which detailed performance monitoring data for the quarter ended 31 December 2011.

A copy of Minute no. 62 of Corporate Overview and Scrutiny Committee held on 1 March 2012 was circulated which sought a detailed breakdown of information relating to BVPI 12 – Sickness Absence.

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 Council's performance against the indicator set for the quarter ended 31 December 2011 be noted.

B. That the existing target BVPI 12 (Sickness Absence) remain unchanged and the Lead Officer for Human Resources be invited to make a presentation to the Corporate Overview and Scrutiny Committee at the end of the Performance Monitoring period, on the HR service since the introduction of the partnership arrangement with Lancashire County Council.

C. That call-in is not appropriate for this item as the report was considered by the Corporate Overview & Scrutiny Committee on 1 March 2012.

136. PERFORMANCE MANAGEMENT FRAMEWORK

Councillor Westley introduced the report of the Transformation Manager which sought approval for the adoption of the Council's Corporate PI Suite 2012/13.

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 draft Suite of Performance Indicators 2012/13 (Appendix A) and targets be approved as being most important in terms of delivering the Council's Business Plan and adopted as the Council's Corporate PI Suite 2012/13.

B. That it be noted that the Performance Indicators listed in Appendix B to the report previously reported in 2011/12, have been removed from the Suite of Performance Indicators for 2012/13 for the reasons stated in the table.

- C. That the Transformation Manager, in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise the suite and targets having regard to any comments arising from the Executive Overview and Scrutiny Committee on 29 March 2012, and to amend the finalised suite and targets in year in response to any issues that may arise (for example government policy and the monitoring period of the JVC in respect of Exchequer Services and ICT)
- 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 29 March 2012.

137. 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 relation to the Service Area Housing & Regeneration: Housing, in Appendix B to the report, Councillor Mrs Hopley referred to a letter from the Tenants Services Authority which confirmed its release of the Council of its voluntary undertaking in relation to TSA standards on tenant involvement and empowerment, home tenancy, neighbourhood and community and value for money.

In reaching the decision below, Cabinet considered the details set out in the report before it together with Councillor Mrs Hopley's comments and accepted the reasons contained therein.

RESOLVED: A. That the progress made in relation to the management of the risks shown in the Key Risks Register at Appendix A be noted and endorsed, subject to the following amendments in relation to the Service Area Housing and Regeneration: Housing:-

Latest Note – to read “Following the improvements made in this area the Tenants Services Authority has now confirmed that they are happy to release the Council from its voluntary undertaking to meet certain standards.”

Current Risk Assessment and Score - that as a result the score contained in this column be amended to read '4 content', and the matrix be amended accordingly.”

B. That the revised Risk Management Policy at Appendix B be approved.

138. REVENUE BUDGET MONITORING

Councillor Westley introduced the report of the Borough Treasurer which provided a projection on 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 considered and noted.
- B. 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.

139. CAPITAL PROGRAMME MONITORING

Councillor Westley introduced the report of the Borough Treasurer which updated Members on the current position in respect of the 2011/12 Capital Programme.

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 in respect of the 2011/12 Capital Programme be noted.
- B. That call-in is not appropriate for this item as it is being referred to the next meeting of the Executive Overview and Scrutiny Committee.

140. CARETAKING SERVICE REVIEW

Councillor Mrs Hopley introduced the report of the Assistant Director Housing and Regeneration which informed Members of the caretakers service review report together with the officers' responses to it.

A copy of Minute No. 71 of the Landlord Services Committee (Cabinet Working Group) held on 7 March 2012 was circulated.

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 service review recommendations and officer responses as detailed in paragraph 4 of the report, be noted.
- B. That the subsequent actions identified in paragraph 4 of the report, be endorsed for implementation by the Assistant Director Housing and Regeneration under his delegated authority.

141. DEFRA CONSULTATION ON AMENDING THE POWERS OF LOCAL AUTHORITIES REGARDING PRESENTATION OF WASTE FOR COLLECTION

Councillor Fowler introduced the report of the Assistant Director Community Services which outlined (in Appendix 1) the proposed response to the Department for Environment, Food and Rural Affairs (DEFRA) on the above-mentioned consultation document.

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 response contained in Appendix 1, be approved.
 - B. That the Assistant Director Community Services forward the response to DEFRA as a matter of urgency.
 - C. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the consultation deadline.

142. PUBLIC LAND AUCTION PILOT

Councillor Forshaw introduced the report of the Assistant Director Housing and Regeneration which sought approval to investigate and develop a Department of Communities and Local Government (DCLG) sponsored public land action pilot between the Homes and Communities Agency and the Council.

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 Assistant Director Housing and Regeneration be authorised to investigate and develop a land auction pilot scheme.
 - B. That the Assistant Director Housing and Regeneration be authorised to enter into any necessary documentation to facilitate the pilot.
 - C. That a report be brought back before Cabinet at the earliest opportunity providing details of the pilot and a detailed costed programme for progressing the pilot forward.

143. MEETING OF THE FUNDING OF VOLUNTARY ORGANISATIONS WORKING GROUP HELD ON 29 FEBRUARY 2012

Councillor Fowler introduced the report of the Transformation Manager which outlined the recommendations of the Funding of Voluntary and Other Organisations Working Group, in respect of a proposal regarding provision of a Citizens Advice service within the Borough.

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 a grant of £48,425 per annum for a three year period (commencing April 2012) be made to the Chorley, South Ribble and Districts Citizens Advice Bureaux for the provision of an advice service within the West Lancashire Borough, as outlined in Appendix A, subject to Governance Arrangements to refer to one elected Member representative only to be nominated by the Leader.
- B. That the annual grant be subject to the CAB fulfilling the detailed criteria contained within a three year Service Level Agreement to include 12 month monitoring arrangements.
- C. That a "one-off" start up grant of £6,500 be made to the Chorley, South Ribble and Districts Citizens Advice Bureaux and funded from an underspend in the 2011/12 voluntary organisations grants budget rolled forward into 2012/13.
- D. That call-in is not appropriate for this item as this matter is one where urgent action is required due to the need to re-introduce an advice service providing wide ranging help and advice for residents within the Borough through the CAB as soon as practicable.

144. WAR MEMORIAL, CORONATION PARK, ORMSKIRK

Councillor Grant introduced the report of the Assistant Director Community Services which detailed proposals from the Custodian Trustees of Ormskirk Comrades Club to accept the transfer of ownership of the War Memorial located at the Comrades Club site in Ormskirk and arrange for its relocation to Coronation Park, Ormskirk.

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 proposal from the Custodian Trustees to accept ownership of the War Memorial be accepted.
- B. That the Assistant Director Community Services be authorised to take all necessary action, obtain all necessary permissions and consents and to enter into all necessary documentation to
- (i) enable the transfer of ownership of the War Memorial and its relocation, and
- (ii) secure the reimbursement of all associated costs from the Custodian Trustees of the Comrades Club, Ormskirk.

- C. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the requirement to progress design work, engage and secure necessary planning consent and commission the relocation work within the time available to ensure that the War Memorial can be relocated to its new location in Coronation Park by November 2012.

145. KEY DECISION FORWARD PLAN QUARTERLY REPORT

Councillor Grant introduced the report of the Borough Solicitor which advised that no decisions had been made during the last quarter in respect of Special Urgency Procedure Rule 16 for the period 1 October – 31 December 2011.

RESOLVED: That it be noted that Procedure Rule 16, Special Urgency, was not exercised during the quarter period ending 31 December 2011.

146. 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 paragraphs 1,2 and 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.

147. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions as contained on pages 1579 –1607 of the Book of Reports.

148. HOME CARE LINK BUSINESS PLAN UPDATE

Councillor Mrs Hopley introduced the report of the Assistant Director Community Services which provided an update of the business plan for Home Care Link services.

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 progress on the Home Care Link Business Plan be noted.
- B. That the direction taken towards securing and expanding contractual agreements be agreed.
- C. That the revised staffing structure for the unit be noted and endorsed.
- D. That a final updated business plan be received at the next Cabinet meeting.

149. HUMAN RESOURCES AND PAYROLL PARTNERSHIP ARRANGEMENTS WITH LANCASHIRE COUNTY COUNCIL/ONE CONNECT LTD.

Councillor Ashcroft introduced the report of the Managing Director (Transformation) which updated Members on the negotiations regarding the arrangements for Human Resources and Payroll Services from 1 April 2012.

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 proposals from LCC/OCL for the delivery of HR Services to the Council, as set out in paragraph 5.1 be noted.
 - B. That the proposal from LCC/OCL for the delivery of Payroll Services to the Council as set out in paragraph 5.2 be noted.
 - C. That the Managing Director (Transformation) in consultation with the relevant Portfolio Holders, be authorised to finalise negotiations and take all action necessary to enter into appropriate agreements to enable the long term provision of HR Management Support through LCC, via their partnership with One Connect Limited.
 - D. That call-in is not appropriate for this item as this matter is one where urgent action is required in light of the fact that the current Human Resources agreement expires on 31st March 2012.

150. SKELMERSDALE VISION; PROPOSED PURCHASE OF COLLEGE LAND, SKELMERSDALE

Councillor Grant introduced the joint report of the Managing Director (Transformation) and Assistant Director Housing and Regeneration which sought approval for the purchase of a plot of land in Skelmersdale in relation to the Skelmersdale Town Centre Regeneration Project.

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 Assistant Director Housing and Regeneration be authorised to negotiate the terms and conditions for and (subject to agreement) then proceed to purchase the College land indicated on the plan appended to this report, on the basis outlined in the report at para(s) 3.1 to 5.4 (inclusive). The authorisation to include the ability to enter into all necessary agreements to give effect to the decision to purchase.
 - B. That call-in is not appropriate for this item as this matter is one where urgent action is required.

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LEADER

PRESENT:

Councillors: Mrs Blake (Chairman)

Councillors:	Ainscough	Hodson
	Mrs Atherley	McKay
	Baybutt	Mee
	Cheetham	Ms Melling
	Cropper	Mrs Pollock
	Delaney	Pye
	Gartside	Savage
	Hennessy	Mrs Stephenson

Officers: Assistant Director Regeneration and Estates (Mrs J Traverse)
Operational Support Manager, Street Scene Services (Mr P Samosa)
Assistant Street Scene Manager (Mr I Silverwood)
Environmental Protection and Community Safety Manager (Mr A Hill)
Planning Officer (Mr D Carr)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

1. APOLOGIES

There were no apologies for absence.

2. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillor Pratt and the appointment of Councillor Cropper for this meeting only, thereby giving effect to the wishes of the Political Group.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

6. MINUTES

RESOLVED: That the Minutes of the meeting of the Environmental Overview and Scrutiny Committee held on 24 February 2011 be received as a correct record and signed by the Chairman.

7. PRESENTATION - LITTER ACROSS THE BOROUGH

Members received a presentation from the Council's Assistant Street Manager in relation to a possible topic for review by the Committee on 'Litter Across the Borough'.

The presentation 'Litter Management' was supported by an handout, as contained on pages 23 to 25 of the Book of Reports, which gave an overview of the work undertaken by the Council in relation to the management and control of litter and other extraneous items such as fly-tipping, discarded on Council-owned land.

In his presentation the Assistant Street Manager explained that whilst litter management falls largely to the Street Cleansing Service other front line services also contribute to its removal to assist in the improvement of the environment. He also explained that the Street Scene Division provides an education programme to the local schools and other interested groups on request.

He then went on to explain the background to the street cleansing service provided and gave details of the types of discarded material collected from the streets and open spaces in West Lancashire, the processes involved in its removal and supplied statistics on fly tipping and other incidents related to the indiscriminate disposal of household and commercial waste.

Also detailed were the litter issues which are dealt with by the Council and the more recent working being undertaken which had addressed the dissatisfaction most often reported, including a more joined up approach to grass verge maintenance in partnership with Lancashire County Council.

Members asked questions and raised comments in relation to the following:

- The responsibilities of the Council, commercial and private Landowners in relation to discarded litter on their property.
- The sites and facilities at the mini-recycling units now operating in some of areas of the Borough.
- The measures in place to deter the disposal of commercial waste at household recycling centres.
- The problems associated with fly-tipping.
- The problems associated with controlling virulent weeds (for example Japanese Knotweed).
- The work of the "lenthsmen" within communities.
- Engagement with the wider community to encourage responsible behaviour in relation to the discardment and disposal of litter.
- Associated education initiatives.

The Operations Support Manager (Street Scene) and Assistant Street Scene Manager responded to the questions and comments raised and concluded the presentation by giving an explanation of the comprehensive monitoring and response that is being undertaken to maintain and improve the high standard of cleanliness and respond to the public's expectations in relation to the dealing with litter problems.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 7 JULY 2011

It was also reported that working alongside and in support of the work of the Street Scene Division is the Council's Environmental Protection Enforcement Team.

Members then received a presentation from the Council's Environment and Community Safety Manager. He gave an overview of the enforcement side of the litter management operation, explaining that there are two strands to that operation one related to picking-up litter and the second to fly-tipping.

He then described the processes involved from the deployment of the Street Scene Officers and the work they undertake through to evidencing complaints to assist bringing individuals to account. He also spoke about the Fixed Penalty notices that can be issued and the additional support, in relation to enforcement, that is also provided by the community support officers. He then went on to explain some of the education initiatives that are provided and the recent involvement with voluntary "clean-ups" as part of Community Service Orders.

Members asked questions and raised comments in relation to the following:

- The schedule and number of patrols undertaken by Street Scene Officers and others in different parts of the Borough.
- Prosecutions related to litter thrown from vehicles and fly-tipping.
- Evidencing indiscriminate litter disposal.
- Associated education initiatives.

The Environment and Community Safety Manager responded to questions and explained the processes and problems associated with evidence gathering in order to bring successful prosecutions related to the wilful discarding of litter. He explained the work of the two Street Scene Officers including the work they, and others, undertake in the schools. He also cited details from the most recent survey undertaken with the People's Panel on the approach taken by the Council in relation to the environment issues raised which had shown that 96% of those surveyed were happy with the approach. He concluded his presentation with an explanation of the methods used, and the particular difficulties encountered in order to obtain evidence and bring about successful prosecutions in relation to vehicle and fly-tipping litter offences.

On behalf of the Committee the Chairman thanked the Officers for the informative presentations.

RESOLVED: That the presentations be noted.

(The Operation Support Manager (Street Scene), Assistant Street Scene Manager and Environment and Community Services Manager left the meeting following conclusion of this item.)

8. PRESENTATION - CYCLING IN WEST LANCASHIRE

Members received a presentation from one of the Council's Planning Officers, Mr Dominic Carr, in relation to a possible topic for review by the Committee on 'Cycling in West Lancashire'.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 7 JULY 2011

The presentation 'Cycling in West Lancashire' was supported by an handout, as contained on pages 27 to 30 of the Book of Reports.

In the presentation the Planning Officer gave an update on what West Lancashire is doing to encourage cycling, exemplified through reference to its policies, studies, leaflets, promotions and work with neighbouring authorities. He also made reference to the policy areas relating to cycling within the Core Strategy Preferred Options, the West Lancashire Cycling Strategy and other cycling projects and referred to the successful bid to the Local Sustainable Transport Fund.

He gave an explanation of cycling routes already established in the Borough and the opportunities for cycling including the links with neighbouring Southport.

Mr Carr also made reference to the role of Lancashire County Council (LCC) and their responsibilities as the transport authority.

Members asked questions and raised comments in relation to the following:

- LCC's role, as the transport authority, in its promotion of cycling in the County.
- Use of Section 106 monies to promote cycling.
- Establishment of a Cycling Park.
- Edge Hill University's approach to cycling in and around its Ormskirk campus, including safe cycling routes between the town and campus.
- Approach to off-road cycling.
- The various representative bodies, including reference to the role of the Lancashire Enterprise Partnership (LEP), Local Strategic Partnership (LSP) and its Thematic Group on Sustainable Transport.
- Accessing funding related to sustainable transport.
- The education initiatives available to encourage 'safe cycling'.
- The use of redundant railway tracks, trails, canal towpaths as cycling paths and other useable links between towns and villages.
- Cycling Benefits including its links to health and well-being and other initiatives including 'Cycling to Work'.
- Cycling links to industrial estates (work places) with nearby residential areas.
- The Cycling network, including promotion by visible signage of routes.
- The Recycling of bicycle initiative.

The Planning Officer responded to the questions and comments raised and concluded his presentation by referencing the opportunities referred to in the discussion in relation to cycling in the borough including:

- Encouraging Edge Hill University to promote cycling and related town centre issues.
- Section 106 Schemes, including a possible Cycle to Work/Education Scheme, cycling routes and the West Lancashire Community Recycling Service.
- Improvement of Cycling in Skelmersdale including links into the cycling network, improved signage and links to its employment areas.
- Possible Linear Parks.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 7 JULY 2011

On behalf of the Committee the Chairman thanked the Planning Officer for the informative presentation.

RESOLVED: That the presentation be noted.

(The Planning Officer left the meeting following conclusion of this item).

9. REVIEW OF TOPICS 2011/12 AND CONFIRMATION OF WORK PROGRAMME

Consideration was given to the report of the Director of Transformation as contained on pages 7 to 21 of the Book of Reports which contained details of the outcome of the scoring exercise undertaken by the Assistant Director Regeneration and Estates in consultation with the Chairman, Vice-Chairman and Labour Group Spokesperson of the Committee on 16 June 2011.

The Chairman explained the process undertaken and referred to the results of the scoring exercise as detailed at Appendix A.

Following the presentations of the two topics that had scored the highest namely Litter Across the Borough and Cycling in West Lancashire, Members considered the proposal contained in the report, that either one or both of these topics be selected as review topics for 2011/12.

The view of the Committee was that following the very informative presentation in relation to Litter Across the Borough as detailed at Minute 7, that nothing further could be gained from undertaking an in-depth review on this subject during 2011/12.

In relation to the second topic that had scored the highest, namely Cycling in West Lancashire, it was felt that a review on this topic should be undertaken during 2011/12.

It was also the view of the Committee that it would be beneficial to undertake a visit to the West Lancashire Community Recycling Service as referred to in the presentation detailed at Minute 8. Further that an invitation should be extended to Mr Alasdair Simpson of Lancashire County Council's Environment Directorate to attend the next meeting of the Committee so that its Members can hear about initiatives available and work that is being undertaken, in the County in relation to sustainable travel, particularly those related to cycling.

- RESOLVED:
- A That the summary of the results of the scoring exercise (Appendix A) be noted and endorsed.
 - B That the presentations on the two topics that scored the highest (Litter Across the Borough and Cycling in West Lancashire) be received.
 - C That 'Cycling in West Lancashire' be the review topic for 2011/12 and be included on the Council's web-site and a Project Plan be prepared for submission to the next meeting of the Committee.

- D That arrangements be put in place for an invitation to be extended to Mr Alasdair Simpson, Lancashire County Council Environment Directorate to attend the next meeting of the Committee.
- E That arrangements be put in place for a representative group from the Committee to visit the West Lancashire Community Recycling Service during the course of the review.

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Chairman

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 3 NOV 2011

Start: 7.30pm

Finish: 9.25pm

PRESENT:

Councillors: Mrs Blake (Chairman) Pratt (ViceChairman)

Councillors: Mrs Atherley McKay
Baybutt Mee
Cheetham Mrs Pollock
Delaney Pye
Gartside Savage
Hennessy Mrs Stephenson
Hodson

Officers: Borough Economic Regeneration and Strategic Planning Officer
(Mrs J Traverse)
Deputy Borough Planner (Mr I Gill)
Technical Services Manager (Mr C Brady)
Planning Officer (Mr D Carr)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Mrs M Fazal (Project Director, Exselcic West Lancashire Community
Recycling Service)
Mr A Simpson (Sustainable Travel Team, Lancashire County Council)
Mr R Hancock (Sustainable Travel Team, Lancashire County Council)

10. APOLOGIES

Apologies for absence were submitted on behalf of Councillors Ainscough and Ms Melling.

11. MEMBERSHIP OF THE COMMITTEE

There were no changes to membership of the Committee.

12. URGENT BUSINESS

There were no items or urgent business.

13. DECLARATIONS OF INTEREST

There were no declarations of interest.

14. DECLARATIONS OF PARTY WHIP

There were no declarations of a party whip.

15. MINUTES

RESOLVED: That the Minutes of the meeting of the Environmental Overview and Scrutiny Committee held on 7 July 2011 be received as a correct record and signed by the Chairman.

16. CYCLING IN WEST LANCASHIRE

Members considered the following five items.

17. PROJECT PLAN

Consideration was given to the draft Project Plan for the review 'Car Parking in West Lancashire'. Members agreed the lines of enquiry of the review and formulated and endorsed the Project Plan.

RESOLVED: That the Project Plan be approved.

18. CYCLING IN LANCASHIRE

Presentation 1 – Cycling in West Lancashire

Members received a presentation from Mr Alasdair Simpson, Sustainable Travel, Lancashire County Council (LCC). The presentation 'Cycling in West Lancashire' was supported by a series of slides as contained on pages 59 to 64 of the Book of Reports.

Members heard about the seven key priorities contained in the Lancashire Local Transport Plan which presents LCC's transport priorities for the next ten years. The seven key priorities include: Improving Access into Areas of Economic Growth and Regeneration; Providing Better Access to Education and Employment; Improving People's Quality of Life and Wellbeing; Improving the Safety of our Streets for our most Vulnerable Residents; Providing Safe, Reliable, Convenient and Affordable Transport Alternatives to the Car, Maintaining our Assets and Reducing Carbon Emission and its Effects and made reference to the White Paper 'Creating Growth, Cutting Carbon' on sustainable travel, a government document issued in early 2011 with the aim to support economic growth whilst at the same time reducing carbon.

The areas covered in the presentation included:

- Potential for Change – a comparison of trips by type and distance.
- The benefits of investing in cycling.
- Transport as a barrier to access to employment.
- Ormskirk – Problems (heavy traffic) and the opportunities to promote cycling through Edge Hill University, school and rail commuting.

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As a demonstration of what can be achieved the cycling related facilities at Lancaster University were highlighted. Members heard about the University's internal cycle path network on the Lancaster campus, the cycle recycling scheme and the promotion of cycling by that University and additionally the cycle infrastructure within the city of Lancaster.

Mr Simpson raised the problems cyclists faced associated with the Skelmersdale Road Network, in particular the large roundabouts and style of junctions that can discourage cyclists and where there are cycle paths the disadvantages with them including an incomplete network, lack of links to industrial estates, barriers and the remoteness of subways. He then explained the opportunities that could be achieved by promoting cycling in Skelmersdale highlighting opportunities to cycle to work, college, school, the town centre and Tawd Valley.

It was further explained that the Department of Transport had recently announced improvements to road signs (on cycle/footpaths) to include "travel times" as well as distances to encourage and assist more accurate planning of journeys by foot or cycle.

Mr Simpson concluded his presentation by making reference to the various promotional schemes being supported by LCC in the Borough to encourage more cycling use.

Members discussed, raised questions and made comments in respect of:

- The financial support available from Government to promote cycling in Lancashire.
- The provision of secure "cycle bays" at railway stations, schools and Edge Hill University.
- Problems that hamper cyclists associated with indiscriminate parking of cars. Examples cited included vehicles parking too close to junctions and shops.
- Possibility of improvements to junctions to improve road safety for cyclists, similarly to those operating in Lancaster.
- The success of the initiative where cyclists ride against the on-coming traffic.
- Evidence of supporting cycle use related to road accident as it was highlighted that the improvement of cycling facilities has demonstrated that cycle-related accidents can decline, despite the increase in cycle users.
- The cycling routes mapped for West Lancashire and possible extension into Skelmersdale and the eastern part of the Borough.
- The availability of funding, similar to the Lancaster model, for cycling projects in the Borough.
- The funding available for sustainable transport initiatives through the Local Transport Plan.
- Allowing cyclists to use the pedestrian town centre (Ormskirk). It was reported that some cities allow cycling in pedestrian only areas outside commuting hours.

On behalf of Members the Chairman thanked Mr Simpson for the informative presentation.

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Presentation 2 – School Travel Plans

Consideration was given to the presentation by Rob Hancock, Sustainable Travel Team, LCC, entitled 'Travel Planning in Lancashire'. The presentation was supported by a series of slides as detailed on pages 65 to 68 of the Book of Reports.

In his presentation, Mr Hancock, explained that a Travel Plan is a long-term management strategy from a site to deliver sustainable transport objectives through positive action. He then went on to explain the different Travel Plan Types and the type of sites/personnel they covered. These include Plans for School Travel, Business/Workplace, Area Wide, Resident and Personalised Travel.

Attention was drawn to the benefits of travel planning which are:

- To maximise access to education, jobs and services.
- Reduce traffic congestion.
- Reduce carbon emissions and improve air quality.
- Improve health and well-being.
- Create more attractive, safer places and communities to ensure greater access for everyone to local services.
- Promote enhanced mobility and independence for vulnerable groups.

Mr Hancock gave an insight into the production of the travel plans, particularly those completed with schools, stating that 98% of schools in the Borough now had a School Travel Plan. He also drew attention to cycle storage facilities which had been introduced at some schools using some of the grant money connected to the School Travel Plans and provided statistical information that showed a decline in the reliance on cars for school travel in the County.

In conclusion Mr Hancock outlined the current and future use of travel plans including:

- The target approach with Schools.
- The support by schools in the Borough of the Walk to School Weeks and WOW initiative.
- The travel plans being devised with businesses, citing the work being undertaken with Southport & Ormskirk NHS and Edge Hill University.
- Development Support
- The ability to identify Large Employers and Employment Sites to encourage a proactive approach to cycling.

In discussion Members raised questions and comments in relation to:

- The availability of grants to schools to provide cycle storage.
- General use and availability of cycle storage facilities at train stations to encourage cycle use and to alleviate car parking congestion particularly in villages in the Borough where lack of car parking at stations is a problem.
- The link to the drop in car usage for school transport through travel initiatives for example good School Travel Plans and WOW.

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- The opportunities available to encourage implementation of travel initiatives within School Travel Plans.
- Possible partnership (LCC) with LAPTC to encourage road safety schemes in the Parishes.

In response to questions Mr Hancock explained that as a result of changes at the County Council they were unable to formally review individual School Travel Plans in operation in schools across the County. However, through projects such as WOW it was hoped that schools would continue to regularly audit their own School Travel Plans to ensure they remained valid. He also informed Members that 98% of schools in West Lancashire now had a School Travel Plan in place.

- RESOLVED:
- A. That the presentations be noted and Mr Alasdair Simpson and Mr Rob Hancock of Lancashire County Council Sustainable Transport Team be thanked for their contribution to the review.
 - B. That the drop in car use for school travel in West Lancashire be noted.
 - C. That the 98% of Schools in the Borough who now have a School Travel Plans be noted.
 - D. That it be recommended that Members continue through their links with schools in their Ward to encourage continuation of the initiatives adopted within their School Travel Plans.
 - F. That it be recommended that Lancashire County Council as the Highway Authority be encouraged to take account of cyclists safety on the highways, particularly at junctions, when re-surfacing and upgrading road markings.
 - G. That information relating to the established cycle routes and proposed cycle routes in the Borough, and other related information be brought to the next meeting.

19. WEST LANCASHIRE COMMUNITY RECYCLING SERVICE (WLCRS) - CYCLE RECYCLE FACILITY

Consideration was given to the presentation by Maureen Fazal, Project Director of Exselcic WLCRS on the work undertaken, particularly in relation to the Cycle Recycle Facility. The presentation was supported by a series of slides as contained on pages 69 to 76 of the Book of Reports.

Mrs Fazal made reference to the visit recently undertaken by Members to the Recycling facility located in Skelmersdale.

In her presentation Mrs Fazal gave an overview of the various recycling services that are undertaken by WLCRS and the awards and accolades they had received.

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She then went on to describe the renovation and repair work that is to be undertaken in the aptly named 'Bike Shed'. It was explained that the service had started as a result of the large number of bicycles that were either being donated or discarded with other household goods. In response WLRCS began to recondition bicycles initially to provide transport for volunteers coming to work at the Skelmersdale site but due to the volume of cycles being donated or discarded it was recognised that, with the assistance of a cycle technician, there was an opportunity to extend this much needed service to the wider community.

Unfortunately, on the day of the site visit, the Bike Shed had been commandeered to take a large number of mattresses for deconstruction which had been donated by a well-known bed mattress manufacturer.

Mrs Fazal then explained the bid Excelcic WLCRS had submitted to The Big Lottery "Reaching Communities" for financial assistance for the Bicycle Recycling Initiative. The application was to assist with:

- Development of the work area.
- Purchase of tools and equipment.
- Financial support for qualified staff.
- Training materials to train/support volunteers.
- Contribution towards utilities.

If successful the aim was to introduce a bicycle recycling programme for Skelmersdale that could include a full repair and renovation service, the ability to rebuild donated bikes to the required BSS standard thereby assisting in the provision of affordable transport, reducing pollution and encouraging healthier lifestyles with the long-term goal of achieving sustainability.

In discussion questions/comments were raised in relation to the following:

- The type of cycles WLCRS hoped to repair and renovate.
- The processes involved from stripping down the donated bicycles to final re-build.
- The financial implications of offering such a service.

The Chairman thanked Mrs Fazal for her contribution to the review and on behalf of the Committee congratulated her on the success of Excelcic WLCRS.

RESOLVED: A. That the presentation be noted and Mrs Fazal be thanked for her contribution to the review.

B. That the potential to recycle otherwise discarded bicycles be encouraged.

(Note: Councillor Hennessy declared a personal interest when Mrs Fazal made reference to her contact with her in relation the work of the West Lancashire Community Recycling Service (WLCRS).

20. LOCAL SUSTAINABLE TRANSPORT FUND (LSTF)

Consideration was given to the presentation by the Council's Planning Officer, Dominic Carr entitled 'Local Sustainable Transport Fund – The Sefton & West Lancashire visitor Economy Project'. The presentation was supported by a series of slides as detailed on pages 77 to 82 of the Book of Reports.

In his presentation Mr Carr gave background information relating to the Local Sustainable Transport Fund (LSTF) explaining that the key aim of the fund is to support economic growth whilst reducing carbon emission, which was released to help authorities deliver sustainable transport solutions. It was noted that funding through the LSTF does not include major rail, passenger transport or road infrastructure enhancements as these are more appropriately funded from other sources.

Mr Carr then provided information relating to the successful West Lancashire Sefton Bid from the LSTF. He explained that Sefton as a Transport Authority had approached WLBC about submitting the joint bid focusing on the visitor economy that effectively works as one area. The area covered in the bid included the Sefton Coast from Waterloo to Southport and inland incorporating the western parts of West Lancashire including Ormskirk and Burscough and includes many attractions in West Lancashire which are difficult to access by public transport. Its aim is to promote sustainable forms of transport to these areas, primarily walking and cycling and it is also hoped that this will become an attraction in itself. The bid was awarded £1.55 million.

He then went on to explain some of the areas focussed on within the bid which included:

- Cycle Hire (primarily Sefton-focused, but may extend into WLBC).
- Southport Eastern Park and Ride (at Kew).
- Improvements in Leisure Routes and Facilities.
- Improved facilities for walking and cycling.
- Developing and promoting the visitor offer.

Other aspects covered in the course of the presentation included the proposed Governance arrangements and a breakdown of the financial proposals over the five year period.

He concluded his presentation highlighting the opportunities that the successful bid has provided including:

- Opportunities for joint working between neighbouring authorities.
- Mayor boost through promotion to the local visitor economy.
- Opportunities to open up access to areas of "attraction", including the potential for new recreational routes and facilities for residents and visitors.
- The knock-on benefits related to health and a reduction in levels of congestion.

In discussion Members raised questions and comments in relation to:

- Involvement of the Sefton/Coastal Partnership – completion of coastal paths.
- Development/maintenance of canal paths.

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- The financial resource for the individual projects over the 5 year period.
- The possibility of extending the recreational and other routes further eastward into Skelmersdale, particularly the Ormskirk route or at least the potential to do so in the future.
- Physical improvements – the possibility of making the Cheshire Lines more accessible.
- Improving cycle routes through the town centre (Ormskirk).
- Proposals relating to the linear parks.
- Consultation process related to projects.
- Exclusion of eastern areas of the Borough deemed a visitor attractive, for example Parbold.

In response it was explained that the bid was based on visitor economy, was a small scale project led by Sefton (as the highway authority) and that Skelmersdale and Parbold, and the more eastern parts of West Lancashire, were not included as they are not adjacent to Southport (Sefton). It was suggested, however, that through the Local Transport Plan future opportunities may be available on other key routes into the eastern part of the Borough but it was recognised that the latter would be a big project that would need to take account of, for example, land ownership issues.

In discussion reference was made to the work of the Community Voluntary Service (CVS) and the projects they undertake and manage. It was agreed that it would be useful to invite a representative from the CVS to come along to a future meeting of the Committee to discuss any projects which relate to cycling, if indeed there are any.

RESOLVED: A. That the presentation be noted.

B. That a representative from the CVS be invited to a future meeting of the Committee.

C. That it be recommended that during future consideration of the West Lancashire Local Transport Plan, the potential to extend recreation and other routes eastward be considered.

20. PROJECT PLAN - REVIEW

Members reviewed the Project Plan.

RESOLVED: That the review of the Project Plan be noted.

21. CAR PARKING IN WEST LANCASHIRE - REVIEW OF RECOMMENDATIONS

Consideration was given to the report of the Borough Treasurer advising Members of the progress made on the recommendations that came from the review undertaken by the Committee on 'Car Parking in West Lancashire' as set out at Appendix A of the report.

RESOLVED: That progress and responses as set out at Appendix A be noted.

22. THE ROLE OF THE UTILITY COMPANIES IN SUPPORTING THE DELIVERY OF DEVELOPMENT AND REGENERATION IN THE BOROUGH - REVIEW OF RECOMMENDATIONS

Consideration was given to the report of the Borough Treasurer advising Members of the progress made on the recommendations that came from the review undertaken by the Committee on 'The Role of the Utility Companies in Supporting the Delivery of Development and Regeneration in the Borough' as set out at Appendix A of the report.

RESOLVED: That progress and responses as set out at Appendix A be noted.

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Chairman

**STANDARDS COMMITTEE
(CONSIDERATION SUB-COMMITTEE)**

HELD: 12 OCTOBER 2011
Start: 4.00pm
Finish: 4.20pm

PRESENT:

Independent Members: Mr B Winstanley (Chairman)
Mr J Cailes

Councillor: I Moran

Officers: Borough Solicitor (Mr T Broderick)
Assistant Member Services Manager (Mrs J Denning)

1. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member, Mr B Winstanley, be appointed as Chairman for the meeting.

2. APOLOGIES

There were no apologies for absence.

3. MEMBERSHIP OF THE SUB-COMMITTEE

There were no changes to the membership of the Sub-Committee.

4. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 24 June 2009 were received as a correct record.

7. STANDARDS COMMITTEE - DETERMINATIONS

The Sub-Committee considered the 'Standards Committee – Determinations' procedure set out on pages 5 to 8 of the Book of Reports.

The Borough Solicitor referred members in particular to the procedure in respect of the Consideration Sub-Committee at paragraph 3 of the document.

RESOLVED: That the procedure be noted.

8. SUBJECT MEMBER VIEWS - EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee was advised that the Subject Member had been contacted in respect of whether the matter should be considered in public and that he had not expressed any views.

RESOLVED: That the update be noted.

9. 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 7(c) 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.

10. LOCAL INVESTIGATION - INV7 - LG5/51

The Sub-Committee considered the report of the Director of People and Places, as contained on pages 9 to 48 of the Book of Reports, which presented a copy of the final report arising from the local investigation in respect of allegations by a member of the public that Councillor Andrew Fowler may have failed to comply with the Code of Conduct for West Lancashire Borough Council.

RESOLVED: A. That the investigating Officer's finding that Councillor Fowler had not failed to comply with the Code of Conduct for Members, be accepted (a finding of acceptance).

B. That the reason for the finding at set out in the report be agreed.

C. That the Notice of Finding be published and a notice be published on the Council's website.