

CABINET

12 JUNE 2012

Start: 7.30pm

Finished: 9.00pm

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

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

In attendance	Aldridge	J. Hodson
Councillors:	Dereli	Pendleton
	Furey	Savage

Also Present: Ms H Scully Tenants and Residents Forum

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)
- Principal Member Services Officer (Mrs S Griffiths)

1. APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

3. DECLARATIONS OF INTEREST

1. Councillor Fowler declared a personal and prejudicial interest in agenda item no. 6(i) (High Street Innovation Fund) in view of his membership of an organisation likely to bid for a grant from this Fund, and he left the meeting during consideration of this item.
2. Councillor J Hodson left the meeting during consideration of item no. 6(h) Local Development Scheme, when particular reference to 'Linear Park Proposals' was raised.

4. MINUTES

RESOLVED: That the minutes of the meeting of Cabinet held on 13 March 2012 be approved as a correct record and signed by the Leader.

5. CONFIRMATION OF PROCEDURAL MATTERS

RESOLVED: A. That the appointment of Cabinet Committee, Panels and Working Groups for 2011/12, as circulated at the Annual Meeting of the Council on 16 May 2012, with the terms of reference included in the Constitution, be noted.

B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers', insofar as they are executive functions, and the Scheme of Delegation to Cabinet Members, as set out in the Constitution, be noted.

6. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 1 – 199 of the Book of Reports.

7. QUARTERLY PERFORMANCE INDICATORS (Q4 2011/12)

Councillor Westley introduced the report of the Transformation Manager which detailed performance monitoring data for the quarter ended 31 March 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 Council's performance against the indicator set for the quarter ended 31 March 2012 be noted.

B. That call-in is not appropriate for this item as the report is to be considered by the Corporate & Environmental Overview and Scrutiny Committee on 5 July 2012.

8. USE OF SECTION 106 MONIES IN BURSCOUGH

Councillor Sudworth introduced the report of the Assistant Director Community Services which contained a proposal regarding the use of Section 106 monies received by the Council from housing developers for the enhancement of public open space and recreation provision in Burscough.

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

RESOLVED: That the proposed project to re-furbish the play area at Pickles Drive, Burscough, detailed in section 6 of the report, be approved and the Section 106 commuted sum of £45,800 generated in Burscough be made available for this project.

9. INITIAL PROPERTY ALLOCATIONS DIGMOOR ROAD, SKELMERSDALE AND NEW REGISTERED PROVIDER DEVELOPMENTS

Councillor Mrs Hopley introduced the report of the Assistant Director Housing and Regeneration which sought approval to include a local lettings policy for the first Council nominations to Cosmopolitan Housing Association's Digmoor Road housing development and to any future registered provider schemes that are not covered by local connection criteria as contained in the Council Housing Allocation Scheme/Choice Based Lettings Policy.

A copy of minute no. 9 of the Landlord Services Committee (Cabinet Working Group) held on 6 June 2012 was circulated.

In reaching the decision below, Cabinet considered the details set out in the report before it together with the minute of the Landlord Services Committee and accepted the reasons contained in the report.

RESOLVED: A. That the inclusion of a local lettings policy as part of the first group of Council nominations to Cosmopolitan Housing Association's Digmoor Road housing development, be approved.

B. That delegated authority be given to the Assistant Director Housing and Regeneration in consultation with the Portfolio Holder (Landlord Services and Human Resources), to consider on a scheme by scheme basis the introduction of a local lettings policy as part of initial Council nominations to any future Registered Provider schemes where those schemes are not covered by local connection criteria as contained in the Council Housing Allocation Scheme/Choice Based Lettings Policy.

10. CCTV - NEW LOCATIONS

Councillor Sudworth introduced the report of the Assistant Director Community Services which provided an update on the progress made on the CCTV project and sought approval for a priority order for locations for new cameras, for both the rural and urban areas of 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: That the Assistant Director Community Services, in consultation with the relevant Portfolio Holder, be authorised to agree numbers and siting of CCTV cameras having regard to the guidance on locations and relative priorities of new cameras, as detailed in paragraph 5.3 of the report, subject to available finances and to:-

Amendment of paragraph 5.3 as follows:-

Rural List – Halsall – Add “to reduce the fear of crime and target an entrance/exit route for the Borough”.

11. RIPA - REGULATION OF INVESTIGATORY POWERS - ANNUAL SETTING OF THE POLICY AND REVIEW OF USE OF POWERS

The Leader introduced the report of the Borough Solicitor which reviewed the Policy on the Use of the Regulation of Investigatory Powers Act 2000 (RIPA) and the use of covert surveillance and the acquisition of communications data in West Lancashire over the last 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 RIPA Guide and Guidance on completing RIPA authorisation forms be approved.

B. That the Council’s RIPA activity be noted.

12. FINDON/FIRBECK REVIVAL

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration on the initial findings of the residents consultation for the Firbeck Revival and sought approval to progress with the energy efficiency phase of the project on housing in the area together with Firbeck Court.

A copy of minute no. 10 of the Landlord Services Committee (Cabinet Working Group) held on 6 June 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 preliminary findings and key issues raised by the resident's consultation to date, be noted.
 - B. That the Assistant Director Housing and Regeneration be authorised to implement the installation proposal at paragraph 5.3 and 7.2 of the report in accordance with the recommendations at C,D, E and F.
 - C. That the Assistant Director of Housing and Regeneration be authorised to apply for, enter into/facilitate necessary agreements for and use grant assistance to support the work identified at paragraphs 5.3 and 7.2 of the report.
 - D. That the Assistant Director Housing and Regeneration be authorised to use the funds identified in the revival budget to support this energy efficiency work if necessary.
 - E. That an exception to Contract Procedure rules 5,6,7 and 12(iii) be authorised for the reasons given at 7.3 of the report.
 - F. That the Assistant Director Housing and Regeneration, after consultation with the relevant Portfolio Holders, develop an assistance package for private owners to enable them to be part of a comprehensive energy efficiency scheme.
 - G. That call-in is not appropriate for this item as this matter is one where urgent action is required to ensure receipt of external energy efficiency funding.

13. APPROPRIATION OF LAND AT FURNIVAL DRIVE AND PICKLES DRIVE, BURSCOUGH

Councillor Owens introduced the joint report of the Assistant Director Housing and Regeneration and Borough Planner on the objections received to the proposed appropriation of land at Furnival/Pickles Drive, Burscough, from housing purposes to planning purposes. He sought approval to appropriate the land and confirm the disposal of part of the land to a Registered Provider selected to deliver affordable housing.

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 action taken by the Borough Solicitor to advertise notice of the proposed appropriation of the land be noted and endorsed.
 - B. That the land at Furnival/Pickles Drive, Burscough be no longer required for housing purposes and be appropriated for planning purposes for the reasons stated in the report.

- C. That the Assistant Director Housing and Regeneration and the Borough Planner be requested to sign the memorandum of appropriation.
- D. That the Borough Planner be authorised to negotiate and agree the terms for disposal of that part of the land required for affordable housing development to a registered provider of affordable housing (such delegation to include the ability to enter into and give effect to all necessary agreements, licences (including building licences) and the obtaining to all necessary permissions and consents) enabling the disposal to proceed.

14. LOCAL DEVELOPMENT SCHEME

Councillor Forshaw introduced the report of the Borough Planner which sought approval to publish the Local Development Scheme 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 Local Development Scheme 2012, as set out in Appendix 2 to the report, be approved for publication on the Council's website.
 - B. That delegated authority be given to the Borough Planner in consultation with the Portfolio Holder Planning and Development, to update the Local Development Scheme and publish it on the Council's website should any future iterations of the document be required.

15. HIGH STREET INNOVATION FUND

Councillor Owens introduced the report of the Borough Treasurer which provided details of the above-mentioned new government grant fund.

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

- RESOLVED:
- That the Borough Treasurer in consultation with the relevant Portfolio Holder be authorised to take all necessary action to apply the High Street Innovation grant to the proposed uses set out in Section 4 of the report where feasible and appropriate.

16. THE FUTURE OF SKELMERSDALE SPORTS CENTRE

Councillor Sudworth introduced the joint report of the Assistant Director Housing and Regeneration and Assistant Director Community Services which advised of the severe defects in the roof of Skelmersdale Sports Centre and outlined future options.

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 Community Services undertake a consultation exercise as outlined in paragraph 7 of the report, looking at the options for the future.
 - B. That the outcome of the consultation exercise, the assessment of alternative provision available in the Skelmersdale area and details of the costs associated with the options be provided to Council on 18 July 2012.
 - C. That this item is not available for call-in in view of the need for early action and for consultation to start immediately to feed back to Council on 18 July 2012.

17. PUBLIC LAND AUCTION PILOT

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which sought authority to progress the Land Auction Pilot.

A copy of minute 99 of Executive Overview and Scrutiny Committee of 29 March 2012 was circulated which requested that when further reports providing details of the pilot and a detailed costed programme for progressing the pilot forward is considered, it be referred to the Executive Overview and Scrutiny Committee for comment.

In reaching the decision below, Cabinet considered the details set out in the report before it together with the minute of the Executive Overview and Scrutiny Committee and accepted the reasons contained in the report.

- RESOLVED:
- A. That the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holders be authorised to develop the land auction pilot in accordance with paragraphs 4 and 5 of the report.
 - B. That the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holders, select the sites to be included in the Public Land Auction.
 - C. That the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holders, determine what conditions, if any, are attached to the sale of the land within the Public Land Auction.

- D. That the Assistant Director Housing and Regeneration be authorised to incur necessary costs and expenditure to take the pilot forward within the budget available of £100K and any further monies provided under recommendation E.
- E. That in the event that the likely costs will exceed £100K, the Assistant Director Housing and Regeneration be authorised to draw this to the attention of the Department of Communities and Local Government (DCLG) so that additional funding can be made available to take the Pilot forward.
- F. That the report and Cabinet minute be referred to the next meeting of the Executive Overview and Scrutiny Committee on 28 June 2012.

18. KEY DECISION FORWARD PLAN QUARTERLY REPORT

Councillor Grant introduced the report of the Borough Solicitor which advised that no decision had been made during the last quarter in respect of Special Urgency Procedure Rule 16 for the period 1 January to 31 March 2012.

RESOLVED: That it be noted that Access to Information Rule 16 (Special Urgency) was not exercised during the quarter ending 31 March 2012.

19. 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.

20. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions as contained on pages 139 – 193.

21. OUTCOME OF THE ASSET REVIEW - REPORT BY CONSULTANTS DTZ

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration in which he advised Members of the findings of the above-mentioned report and sought authority to progress some of the proposals detailed therein to protect and enhance a secure income stream to support the Council's aims and objectives.

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 authorisation be given to increase the Investment Centre marketing budget by £20,000, including the appointment of an additional temporary resource if required, with the overall objective to increase occupancy levels and move the Centre back to a break even position, and to undertake discussions/negotiations with a private sector serviced office provider and soft market testing with a view to potentially procuring a management partner in the future.
 - B. That authorisation is given to carry out an all options marketing exercise for Delf House, Skelmersdale with an estimated budget of £25,000 to determine whether there is demand for this size and type of accommodation in Skelmersdale. In parallel to this exercise officers be instructed to enter into discussions with the owners of Whelmar House to investigate the possibility of joint working to redevelop the whole of the site.
 - C. That authorisation is granted to prepare the site currently occupied by Westec House and car park shown hatched on Appendix A and market it for sale. A further report will be produced to seek authorisation to sell subject to an acceptable offer being made.
 - D. That authorisation be given to demolish the largest unit on Gorsey Place and thereafter a further report be submitted to Cabinet on options for the future.
 - E. That where the Council owns large industrial properties which are proving difficult to let and are attracting significant empty rates costs, these be offered to charitable enterprises subject to them meeting all the associated costs of occupation on a weekly basis.

22. STRATEGIC ASSET MANAGEMENT PROJECT

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which updated Members on the progress of the Strategic Asset Management Project, advised on the outcomes of the North Meols and Ashurst Wards and sought authority to dispose of assets.

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 contents of the report, including the work undertaken by officers to date, and the progress on the assets previously identified for disposal be noted.

- B. That the Assistant Director Housing and Regeneration be authorised to take the actions recommended in Appendices A and B to the report in relation to the 17 sites in the North Meols Ward and the 140 sites in the Ashurst Ward, together with the land adjacent to 47 Witham Road, Skelmersdale (opportunity site).
- C. That the Assistant Director Housing and Regeneration be authorised to dispose of all of the sites marked in bold with an * in Appendix A (as identified on Plans A1-A3) and Appendix B (as identified on Plans B2-8), together with land adjacent to 47 Witham Road, Skelmersdale in Appendix C (as identified on Plan C1).

23. ACQUISITION OF HALL GREEN CLINIC

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which sought authority to progress the acquisition of the former Hall Green Clinic, Up Holland.

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

RESOLVED: That the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holder be authorised to negotiate terms and purchase the former Hall Green Clinic, shown hatched on the plan attached in Appendix A, for housing purposes.

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LEADER

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

AGENDA ITEM: 6
29 MARCH 2012
Start: 7.30pm
Finish:9.40pm

PRESENT

Councillor Greenall (In the Chair)

Councillors	Baldock	Griffiths
	Mrs Blake	G Jones
	Blane	Mee
	Cheetham	Moran
	Cropper	Nolan
	Davis	R A Pendleton
	Deaney	Pope
	Furey	Sudworth
	Gagen	

Also in attendance: Councillor M Forshaw Portfolio Holder: Planning and Technical Services

Officers: Assistant Director Housing and Regeneration (Mr R Livermore)
Shaun Walsh (Transformation Manager)
Deputy Borough Planner (Mr I Gill)
Deputy Borough Treasurer (Mr M Kostrzewski)
Performance Officer (Ms A Grimes)
Assistant Member Services Manager (Mrs J Denning)

88. APOLOGIES

There were no apologies for absence.

89. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of Councillors Grice, Fillis, Gibson, Hennessy, Kay and O'Toole and the appointment of Councillors Griffiths, Deaneay, R A Pendleton, Davis, Mee and Cheetham for this meeting only, thereby giving effect to the wishes of the Political Group.

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

There were no items of urgent business.

91. DECLARATIONS OF INTEREST

There were no declarations.

92. DECLARATIONS OF PARTY WHIP

There were no declarations.

93. MINUTES

A question was raised in respect of Minute 78 'Call In Item – Ormskirk Motor Festival' in relation to the sponsorship.

RESOLVED: That the minutes of the meeting held on 2 February 2012 be received as a correct record and signed by the Chairman.

94. PETITION REVIEW - PROPOSED DEVELOPMENTS 'OPTION 1' AND 'OPTION 2' (LOCAL DEVELOPMENT FRAMEWORK /LOCAL PLAN)

Consideration was given the report of the Borough Solicitor, as contained on pages 797 to 812 of the Book of Reports, which set a request to review the steps that the Council had taken in response to a petition received in respect of proposed developments 'option 1' and 'option 2' (Local Development Framework/Local Plan).

The Petition Organiser, Mrs Bjork, addressed the Committee and put forward why she felt the Council had not dealt with the petition adequately and circulated her supporting evidence, which is contained on pages 812a to 812v v, of the Book of Reports.

Comments and questions were raised in respect of the following:

- The Consultation process and procedures
- The inadequacy of the water infrastructure in Burscough – flooding issues
- The potential number of houses on the land at Yew tree farm land and the need to include other amenities, such as a primary school, should this development go ahead
- The Council's statutory responsibility to prepare the Plan
- Housing need in the Borough and affordable housing

RESOLVED: That the steps taken by the Council in response to the petition are adequate.

95. KEY DECISION FORWARD PLANS - 1 MARCH 2012 TO 31 JULY 2012

There were no items under this heading.

96. MINUTES OF THE SPECIAL MEETING OF THE CABINET HELD ON WEDNESDAY 29 FEBRUARY 2012.

RESOLVED: That the minutes be noted.

97. MINUTES OF THE CABINET MEETING HELD ON TUESDAY 13 MARCH 2012.

Consideration was given to the minutes of the meeting of Cabinet held on 13 March 2012. Questions and comments were raised in respect of the following items:

Minute 134 (Selective HMO Licensing) – in respect of the launch and how many landlords had signed up.

Minute 143 (Meeting of the Funding of Voluntary Organisations Working Group held on 29 February 2012) – in respect of the Citizens Advice Bureaux.

Minute 149 (Human Resources and Payroll Partnership Arrangements with Lancashire County Council/One Connect Ltd.) – the advantages and disadvantages.

Minute 150 (Skelmersdale Vision: Proposed Purchase of College Land, Skelmersdale) – potential problems in relation to vandalism and graffiti.

RESOLVED: That the minutes of the meeting of Cabinet held on 13 March 2012, be noted.

98. CALLED IN ITEM

Consideration was given to the following item, as circulated and contained on pages 827 to 836 of the Book of Reports:

99. PUBLIC LAND AUCTION PILOT

Consideration was given to the report of the Borough Solicitor which advised that a decision of Cabinet in relation to the above item (minute 142 refers) had received a call in requisition signed by five members of the Committee. The report set out the reason given for the call in, together with a different decision put forward by the five Members concerned on the requisition notice.

RESOLVED: A. That the Committee does not wish to ask for a different decision.

B. That Cabinet be asked that when the report, “providing details of the pilot and a detailed costed programme for progressing the pilot forward” is submitted to Cabinet that it be referred to the next available Executive Overview and Scrutiny Committee for comment.

100. PERFORMANCE MANAGEMENT FRAMEWORK

Consideration was given to the report of the Transformation Manager which set out the Suite of Performance Indicators, at Appendix A, to be adopted as the Council’s Corporate Performance Indicators Suite 2012/13.

RESOLVED: That the report be noted.

101. REVENUE BUDGET MONITORING

Consideration was given to the report of the Borough Treasurer, as contained on pages 849 to 856 of the Book of Reports, which provided a projection of the financial position on the General and Housing Revenue Accounts to the end of the financial year.

Concerns were expressed in relation to Council House Right to Buy sales and the potential increase in discount and changes to housing benefits.

RESOLVED: That the financial position of the Revenue Accounts be noted.

102. CAPITAL PROGRAMME MONITORING

Consideration was given to the report of the Borough Treasurer, as contained on pages 857 to 866 of the Book of Reports, which provided an update on the current position in respect of the 2011/2012 Capital Programme.

RESOLVED: That the current position in respect of the 2011/2012 Capital Programme be noted.

THE CHAIRMAN

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 MARCH 2012

Start: 7.30pm

Finish: 9.50pm

PRESENT:

Councillors: Kay (Chairman)
Mee (Vice Chairman)

Aldridge	Hodson
Mrs Atherley	Mrs Houlgrave
Bailey	S Jones
Cheetham	Mrs Kean
Coyle	Mrs Pollock
Fillis	Pratt
Griffiths	Savage

Officers: Assistant Director Community Services (Mr D Tilleray)
Borough Solicitor (Mr T P Broderick)
Partnership and Performance Manager (Ms C McNamara)
Community Safety Officer (Mr C Owens)
Assistant Solicitor (Mr M Hynes)
Assistant Solicitor (Mrs T Sparrow)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Executive Secretary, Lancashire Association of Local Councils
(LALC) (Mrs M Gelder)

52. APOLOGIES

Apologies for absence were submitted by Councillor Mawdsley and on behalf of Mr K Cleary, Chairman of LALC and Vice Chairman of the National Association of Local Councils (NALC).

53. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

54. URGENT BUSINESS

There were no items of urgent business.

55. DECLARATIONS OF INTEREST

1. Councillors Mrs Atherley, Bailey, Cheetham, Mrs Houlgrave, Hodson, Kay, Mee, Mrs Pollock and Pratt and declared personal interests in item no. 7 (The Role of the Parish and Town Councils and the Impact of the Localism Bill Review) as members of Parish Councils.
2. Councillor Hodson also declared a personal interest in item no. 7 as a member of the Executive of the Local Association of Local Councils (LALC) and as a member of the Council of the National Association (NALC).

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 MARCH 2012

3. Councillor Aldridge declared a personal interest in item 10 (Housing Improvement Plan) as he and members of his family are tenants of rented Council accommodation.

56. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

57. MINUTES

RESOLVED: That the minutes of the meeting held on 24 November 2011 be approved as correct record and signed by the Chairman.

58. THE ROLE OF THE PARISH AND TOWN COUNCILS AND THE IMPACT OF THE LOCALISM BILL REVIEW

The following two items were considered.

59. LOCALISM ACT - INFORMATION FROM THE LOCAL AND NATIONAL ASSOCIATION OF LOCAL COUNCILS

The Chairman welcomed Mrs Marion Gelder, Executive Secretary of the Lancashire Association of Local Councils (LALC).

Members received an update on the role of the Association, its structure and an overview on what was starting to emerge in relation to the Localism Act ("the Act") which had received Royal Assent in November 2011. It was understood that the Government would be issuing regular updates on the start dates of different parts of "the Act."

In her address the Executive Secretary explained that the aim of the Association was to provide training and support for Parish and Town Councils. She gave details of the structure of LALC and its accountability and further explained the involvement with Lancashire County Council (LCC) through the recently formed '3-tier Forum'.

In relation to the Parishes responsibilities in respect of the Localism Act she explained that it was very early days for the legislation and that no fine detail had yet emerged. Talks were taking place with the National Association from which information would be disseminated in due course. Although no specific detail was available, there was an awareness of changes affecting:

- Membership of Standards Committees
- The Code of Conduct
- General Power of Competence
- Community Rights to Buy
- Audit responsibilities
- Council Tax Referendums
- Neighbourhood Planning and the devolvement of services
- Funding for Projects

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 MARCH 2012

The update was concluded with details of the Association's role in training and general support for its members and in relation to the Localism Act particularly, the future need to update and republish many of the booklets and legal topic notes that are produced. Reference was also made to financial implications which, as yet, were not known.

The Chairman invited Councillor Hodson, in his LALC and NALC role, to provide any additional information. Councillor Hodson went on to explain the developments within "the Act" that would allow "parishing" of the whole of England and the trend to encourage more areas that are too large to be led locally to be organised on a "neighbourhood" basis. The key element being "flexibility" to respond to what people want in their areas.

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

- The implications of the Localism Act for "non-parished" areas.
- The changes in legislation associated with establishing a new "Parish", including procedures and time scales linked to adoption.
- Ratio of representatives to Elected Members at "parish" level.
- Arrangement of "neighbourhood groupings".
- The additional financial burden on residents as a result of new "parishes" and the devolvement of services.
- Powers related to the devolvement of services, for example, grass-cutting, responsibilities for play areas, community facilities etc.
- Implications for communities, particularly very small communities, where there may be a reluctance for services to be devolved downwards.
- Existing perceptions related to value for money associated with precepts.
- Historical views still held within communities linked to community assets.
- Encouraging representation on the "new" neighbourhood/parish bodies, if established.
- Expectation within the communities to do more as services are cut back.
- Overlapping of the role of Parish Councils into other areas of responsibility.
- Local audit responsibilities.

The Borough Solicitor who was in attendance gave a perspective of the challenges ahead in relation to disseminating "the Act" which, he stated, had 240 sections and 25 schedules, plus guidance.

It was concluded that it was still early days for "the Act" and that until the position had been clarified and everything had emerged relating to the implementation of its provisions it was difficult to assess its impact, particularly as it related to Parish Council responsibilities under "the Act", further.

RESOLVED: That the presentation be noted and Mrs Gelder, Executive Secretary of LALC, be thanked for her contribution to the review.

60. PROJECT PLAN

Members reviewed the Project Plan.

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 MARCH 2012

It was agreed that the Committee should now keep a watching brief in relation to implementation of the provisions of “the Act” and that as more information became available this be circulated through the update mechanisms already in place and that the draft final report come to the July meeting of the Corporate and Environmental Overview and Scrutiny Committee for consideration. Further, that the Committee review progress on the implementation of the Act as it relates to the review topic when it reviews its recommendations from the review in March 2013.

- RESOLVED:
- A. That the draft final report of the review ‘The Role of the Parish and Town Councils and the Impact of the Localism Bill’ be brought to the next meeting of the Corporate and Environmental Overview and Scrutiny Committee for consideration.
 - B. That the Committee maintains a “watching brief” through the overview and scrutiny Members’ Update mechanism and that progress is reviewed on implementation of aspects of “the Act” as it relates to the review topic in March 2013.
 - C. That the review of the Project Plan be noted.

62. QUARTERLY PERFORMANCE INDICATORS (QPIS)

Consideration was given to the reports of the Transformation Manager as contained on pages 397 to 418 and also on pages 425 to 440 of the Book of Reports, covering the period 1 July 2011 to 31 December 2011 which advised members of the performance monitoring data for that period.

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

- BVPI 12 - Sickness Absence, especially the various factors for absence associated with that target.

It was agreed that in order to assist the understanding of the monitoring data presented in respect of BVPI 12 further detailed information would be useful, including the separation of long and short term sickness figures and the locations within the Council affected.

Members were reminded of responsibilities related to the Data Protection Act which could have a bearing on the detail of the information presented.

- RESOLVED:
- A. That the Lead HR business partner be requested, subject to Data Protection principles, to consider presenting a more detailed breakdown of the information relating to BVPI 12 – Sickness Absence.
 - B. That the Council’s performance against the indicator set for the quarters ended 30 September and 31 December 2011 respectively be noted.

61. COMMUNITY SAFETY

A presentation was received from the Community Safety Officer on behalf of the West Lancashire Community Safety Partnership (CSP). The presentation was supported by a series of slides as contained on pages 441 to 450 of the Book of Reports.

In his introduction the Community Safety Officer referred to the six responsible authorities represented on the partnership and the further 10 agencies and voluntary groups that are also involved with the CSP. He went on to explain the vision of the partnership; the partnership plan and how it is delivered; its funding stream and how the amount funding that is received. He gave an breakdown of where the funding is allocated and highlighted two examples of successful initiatives that had been co-ordinated and funded through the Local Priorities Group namely Community Beatsweeps and Brightspax. He then went on to detail the achievements of those initiatives.

In relation to performance the following reductions were noted:

- Criminal Damage down by 22%
- All Violent Crime down by 10%
- Alcohol Violence down by 22%
- Deliberate Fires down by 32%

CSP performance also indicated that in relation to Domestic Violence the 70% detection figure was on track. He further explained that although Serious Acquisitive Crime was up by 14% this had been compared against a historically low figure in 2010/11. .

The Community Safety Officer then went on to explain the plans for the CSP for 2012/13 highlighting the impending introduction of the Police and Crime Commissioner. The commitment of the CSP to work in partnership through established delivery structures was emphasised as was the recognition by partners to continue to strengthen the partnership and work collaboratively to resolve local issues.

He concluded his presentation by outlining the priorities for 2012/13 which including the themes General Anti-Social Behaviour (ASB); Reducing Re-offending; Child Sexual Exploitation; Fatal/Seriously Injured incidents through road traffic accidents and Domestic Abuse and highlighted the key 'cross cutting theme' related to the impact of the misuse of alcohol and drugs on both perpetrators and victims of crime.

Finally, it was stated that 2012/13 will see a 60% reduction in Area Based Grant (ABG) funding and it would be the responsibility of the Safer Lancashire Board to decide how this funding will be allocated. There were no guarantees of ABG funding for the CSP.

During the ensuing discussion Members raised questions/comments in relation to:-

- Incidents of deliberate fires, including those in wheelie bins.
- In relation to the Community Beatsweeps – keeping Ward Councillors informed.
- Domestic Violence – detection and evidence gathering.
- Changes affecting NHS Central Lancashire and implications of representation on the CSP.

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- Aspects to be covered under the Child Sexual Exploitation priority.
- Serious crime and cross-border crime.
- Priorities associated with crime in the rural communities and resourcing crime detection initiatives in the rural areas.
- Statistics associated with crime and how these are presented and recorded.
- Publication of Crime Initiatives and Operations.
- Selection process for the CSP work programme.
- The benefits and successes associated with the Beat Sweep operations.

The Community Safety Officer responded to Member's questions.

RESOLVED: That the presentation be noted and the Community Safety Officer be thanked for his attendance.

63. HOUSING IMPROVEMENT PLAN

Consideration was given to the report of the Assistant Director Housing and Regeneration which explained the arrangements for the scrutinising and monitoring of the Housing Improvement Plan.

The Committee was advised that the TSA were happy with the proposals which were agreed by Cabinet and as a result Housing Services has now been released from their voluntary undertaking.

RESOLVED: That the report and decision of Cabinet be noted.

64. ITEMS AT THE REQUEST OF A MEMBER/COUNCILLOR CALL FOR ACTION

There were no items under this heading.

65. ITEMS REFERRED FROM THE MEMBERS UPDATE

There were no items under this heading.

.....
Chairman

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 23 FEB 2012

Start: 7.30pm

Finish: 9.35pm

PRESENT:

Councillors: Mrs Blake (Chairman) Pratt (ViceChairman)

Councillors: Mrs Atherley Mee
Ainscough Ms Melling
Baybutt R A Pendleton
Delaney Mrs Pollock
Gartside Pye
Hennessy Savage
Hodson Mrs Stephenson
McKay

Officers: Borough Economic Regeneration and Strategic Planning Officer
(Mrs J Traverse)
Planning Officer (Mr D Carr)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Ms J Dickinson (Environmental Safety Officer, Edge Hill University)

23. APOLOGIES

Apologies for absence were submitted on behalf of Martin Trengove of West Lancashire Community Voluntary Service (CVS) and his colleague, who were due to give a presentation (Item 7(b) CVS – Community Projects). Members noted that Mr Trengove had offered to attend a future meeting of the Committee to provide an update in relation to the VISIT Project.

24. MEMBERSHIP OF THE COMMITTEE

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

25. URGENT BUSINESS

There were no items of urgent business.

26. DECLARATIONS OF INTEREST

There were no declarations of interest.

27. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

28. MINUTES

RESOLVED: That the Minutes of the meeting of the Environmental Overview and Scrutiny Committee held on 3 November 2012 be received as a correct record and signed by the Chairman.

29. CYCLING IN WEST LANCASHIRE

Members considered the following items.

30. EDGE HILL UNIVERSITY - CYCLING INITIATIVES

Members received a presentation from Ms Julia Dickinson, Environmental Safety Officer, Edge Hill University. The presentation 'Cycling Initiatives at Edge Hill University' was supported by a series of slides as contained on pages 103 to 113 of the Book Reports.

In her presentation, Ms Dickinson, explained the background to the University cycling initiative that is encouraging students who live within 5 miles of the Ormskirk campus to use alternative transport to help reduce the number of cars on campus and in turn help to reduce the environmental impact.

As part of the initiative the University has brought in a package of measure to improve the structure and culture in relation to car dependency at the University.

She went on to explain the initiatives and policies that had been introduced, including:

- Traffic Management Plan that included restricting car parking permits on the campus to those living outside a 5km zone.
- Working being undertaken with the Carbon Trust in relation to carbon management.
- Encouraging "Shared use" of cars and raising the profile of cycling on campus.
- Infrastructure improvements have also included the provision of safe storage for cycles, including Sheffield and Butterfly stands at the Ormskirk Campus and the provision of Bykebins.
- Green lane entranced created off St. Helens Road for use by cyclists and pedestrians only.

Ms Dickinson then went on to explain the promotional events that had been held including "Green Week"; Travelwise Roadshow and a Well-being week to promote the benefits of cycling and facilities being offered.

In conjunction with Lancashire County Council (LCC) staff had been encouraged to consider Cycling to Work. Advice and help on travel alternatives was also offered.

Members were shown a snapshot of the Travel page on the University's web-site which gave information on Cycling, the facilities and discounts offered by a local cycle shop as well as a bicycle repair service.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 23 FEB 2012

Ms Dickinson concluded her presentation by outlining future proposals related to cycling and sustainability including:

- Travel Survey 2012 to measure and assess the initiatives that have been introduced.
- Walking and cycling map to provide detailed information to get to the University.
- Cycle routes – on-going work with LCC on travel between Ormskirk Town Centre, the bus/rail stations and the campus.
- Cycle parking outside key buildings – to include the provision of additional Sheffield stands.
- Cycle promotion days – bicycle maintenance days; provision of breakfast for cyclists who travel.
- Interest Free Loans – for employees to purchase cycles and related safety equipments.

Members raised questions/comments in relation to:

- Allocation of Parking Permits and special circumstances.
- Improvement in percentages of people cycling to the campus since the introduction of the initiatives.
- Methodology of the approach to cycling at the University.
- Grant funding and association with LCC.
- Postcode analysis and use in the wider community, particular with businesses.
- Benefits associated with working with the Carbon Trust
- Choice of 5 mile radius around the campus to support and encourage cycling at the University.
- Incentives associated with the car sharing initiative.
- Continued investment in cycling through infrastructure additions/changes at the Ormskirk campus.
- Monitoring of park permit entitlement.
- Impact on Ormskirk Town Centre parking as a result of changes to car parking permit entitlement at the University.
- Education and training initiatives related to cycling.
- Working up Travel Plans with LCC

Ms Dickinson responded to questions.

Members were encouraged by what the University is seeking to undertake in relation to cycling at the Ormskirk campus and that they would be revisiting the impact of their initiatives, through a Travel Survey, later in the year. In respect of the latter, it was suggested that an additional question to add to the survey could be, “Where do people park?” Ms Dickinson noted the recommendation.

RESOLVED: A. That the presentation be noted.

- B. That the Environmental Co-ordinator Edge Hill University be thanked for her attendance and the excellent presentation.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 23 FEB 2012

- C. That it be noted that the representative from Edge Hill University took on board the comments from the Committee to request them to include the question "Where do people park?" in their future Travel Survey.
- D. That, subject to the agreement of the University, that the results of the Travel Survey 2012, be shared with the Committee, as part of the review into 'Cycling in West Lancashire'.

31. COMMUNITY VOLUNTARY SERVICES (CVS) - COMMUNITY PROJECTS

This item was not considered.

32. CYCLING IN THE BOROUGH

Consideration was given to the information provided on behalf of the Borough Planner presented by the Council's Planning Officer, Dominic Carr (DC) that updated Members on issues previously raised during the course of the review which was supported by a handout circulated and contained on pages 113 to 118 of the Book of Reports.

The update covered:

Cycling Routes

The Planning Officer explained that there were several cycle maps available relating to West Lancashire. These included cycle maps for Ormskirk and Skelmersdale; the Lancashire Cycle Guide and a new Local Sustainable Transport Fund (LSTF) Cycle Map for West Lancashire and Sefton as part of that Project. Members considered the map showing the existing and proposed cycle routes.

He further explained the networks that were being developed in West Lancashire and Sefton and the interactive maps that would be available on-line, in early summer.

Skelmersdale Pilot and other LTP3 Initiatives

It was reported that as part of Lancashire LTP3 the County Council have identified an opportunity to improve the public realm and access within Skelmersdale and that this may include improvements to the cycle and pedestrian network.

He went on to explain the proposed pilot scheme, in conjunction with LCC, which was in its infancy and the review that is expected to take place in relation to S106 agreements in Skelmersdale.

Improvements to Ormskirk Town Centre using S106 and LTP funding

It was reported that in relation to the above WLBC are working with LCC to look at a range of ways to improve links for cyclists and pedestrians between Ormskirk Town Centre and Edge Hill University. By seeking improvements, that are likely to include new cycle lanes and links to the train/bus station and junction improvements, it is hoped that there will be an increase in cycle usage amongst students as well as providing an improvement to the cycle network for residents.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 23 FEB 2012

Local Sustainable Transport Fund (LSTF)

The update included a recap of the Sefton and West Lancashire successful bid (£1.55 million) to improve and promote sustainable links to the visitor economy. Highlighted:

- Extension of Cycle Hire into West Lancashire, including locations at Scarisbrick (Morris Dancers); Burscough Bridge and Ormskirk rail/bus station.
- Marketing and Development - VISIT (Visit Using Sustainable Integrated Transport).
- In conjunction with LCC, examination of a number of routes over a 4 year period, to include the identification of one large scheme, plus a range of smaller schemes coming forward, each year.

Skelmersdale Vision

The update in relation to this item focussed on the proposals within the Vision to reconnect the town centre with surrounding communities, by the provision of new footpaths and cycleways. It was recognised that this was an important issue particularly in relation to the development of Skelmersdale Town Centre.

Cycling to Work Scheme

The background to the introduction of these schemes was explained, including the incentives to encourage employees to use bikes as an alternative means of transport.

Safe Cycling in West Lancashire

Members considered the information provided by a resident in respect of Forward Cycling Lines at Road Junctions in relation to cycle safety. It was explained that the details had also been passed to LCC as the Highway Authority for consideration and their response was also considered.

Finally, the ongoing promotion and support of cyclists in West Lancashire was highlighted which included:

- Improved links in Ormskirk town centre to Edge Hill University.
- The use of LTP3 and S106 money for improvements in Skelmersdale town centre.
- Improvements to the visitor economy in the north and western parts of the Borough.

As a result of the update Members raised questions/comments in relation to:

- Linear parks in Skelmersdale and access improvements.
- Mapping and the review that LCC are undertaking associated with Tourism.
- Economic regeneration of areas and planning links.
- The involvement of Members to seek local knowledge when planning cycle network links.
- Advantages/disadvantages of the accessibility of electric powered cycles, including health and access for the elderly.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 23 FEB 2012

- Topography issues when planning routes.
- Opportunities for cycle routes linking Skelmersdale to Ormskirk, via Scarth Hill and between Burscough and Ormskirk, via Mill Dam Lane and further into the Borough linking cycling routes into Sefton and the coast.
- Provision of suitable cycling storage facilities at bus/rail stations.
- Opportunities to link the cycle hire facilities/access points, associated with tourism, to the wider business community.
- Engaging with local community groups, including Parish and Town Councils and coastal partnerships, interested in sustainable transport and widening access in West Lancashire through the promotion of cycling.
- The Travel Plan for West Lancashire College, Skelmersdale and proposals related to sustainable transport coming through in processes linked to the development of Skelmersdale Town Centre and the opportunity to undertake a post-code analysis.
- Reinforcing cycling options as an integral part of the Vision for Skelmersdale.
- Cycling infrastructure, particularly at junctions including forward cycling lines and priority setting of traffic lights.
- Cycling hiring locations, including making use of established park/ride areas and areas at local stations.
- Facilities available to cyclists at bus/rail/interchange stations, including access for disabled cyclists and cycle storage.
- Access and difficulties transporting cycles on buses and trains.
- Opportunities for accessing other funding for environmental improvements.

The Planning Officer (DC) responded to questions and made an undertaking to provide the link to the interactive maps, when available.

RESOLVED: That the following recommendations be included in the final review report:

- (1) That Lancashire County Council (LCC) give due consideration to the following:
 - 1.1 when considering highway changes, consider making the following adjustments:
 - a) Cycle priority signals at traffic lights.
 - b) Cycle priority through traffic.
 - c) Cycle junctions improvements.
 - 1.2 when reviewing the cycling network in the Borough and, prior to any future exercise, seek the views of Ward Councillors in respect of proposed cycle routes or maintenance of existing routes.
 - 1.3 when examining widening access within the Borough through its proposed cycle hire initiative also look at the possibility to extend this to the hire of electric powered cycles.

ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE HELD: 23 FEB 2012

- 1.4 when considering the Travel Plans for West Lancashire College, Skelmersdale, give due consideration to any cycling options coming through the Skelmersdale Vision Project.

33. PROJECT PLAN

Member reviewed the Project Plan.

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

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Chairman

AGENDA ITEM: 11(a)

ASSESSMENT SUB-COMMITTEE

HELD: 19 DECEMBER 2011

START: 10.30AM

FINISH: 10.55AM

PRESENT:

Independent Member: Mr J Cailes

Councillor: Mrs U Atherley

Parish Member: Ms J Citeralla

Officers: Legal Services Manager (Mr M Jones)
Principal Member Services Officer (Mrs S Griffiths)

1. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member, Mr J Cailes, be appointed Chairman for the meeting.

2. APOLOGIES

There were no apologies for absence.

3. MEMBERSHIP OF THE SUB-COMMITTEE

The Sub-Committee noted the termination of membership of R. Coady (Parish representative) and the appointment of J. Citeralla (Parish representative) for this meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. PROCEDURE FOR THE INITIAL ASSESSMENT OF WRITTEN COMPLAINTS OF BREACH OF THE CODE OF CONDUCT RECEIVED UNDER SECTION 57A(1) OF THE LOCAL GOVERNMENT ACT 2000

The Legal Services Manager referred to the Local Assessment Procedures and described the steps the Sub-Committee were required to take in order to make a decision.

RESOLVED That the procedure be noted.

6. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/52

The Sub-Committee considered the joint report of the Managing Director (People and Places) and Borough Solicitor to decide whether any action should be taken on a complaint they had received, attached at appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

- RESOLVED: A. That the decision notice now agreed be issued.
- B. That a written summary of the allegation be provided to the subject member.

ASSESSMENT SUB-COMMITTEE

HELD: 10 MAY 2012

START 4.00PM

FINISH 4.20PM

PRESENT:

Independent Member: Mr J Cailes

Councillor: Savage

Parish Councillor: Ms J Citeralla

Officers: Legal & Member Services Manager (Mr M Jones)
Principal Overview & Scrutiny Officer (Mrs C A Jackson)

7. APPOINTMENT OF CHAIRMAN

RESOLVED: That the Independent Member, Mr J Cailes, be appointed Chairman for the meeting.

8. APOLOGIES

There were no apologies for absence.

9. MEMBERSHIP OF THE COMMITTEE

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

10. DECLARATIONS OF INTEREST

There were no declarations of interest.

11. PROCEDURE FOR THE INITIAL ASSESSMENT OF WRITTEN COMPLAINTS OF BREACH OF THE CODE OF CONDUCT RECEIVED UNDER SECTION 57A(1) OF THE LOCAL GOVERNMENT ACT 2000

RESOLVED: That the Procedure be noted.

12. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/53

The Sub-Committee considered the joint report of the Managing Director (People and Places) and Borough Solicitor to decide whether any action should be taken on a complaint they had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

RESOLVED: A. That the decision notice now agreed be issued.

B. That a written summary of the allegation be provided to the subject member.

AGENDA ITEM: 11(b)

**STANDARDS COMMITTEE
REVIEW SUB-COMMITTEE**

**HELD: 6 FEBRUARY 2012
START: 5.45PM
END: 6.20PM**

PRESENT:

Members: Independent Member (Mr P Hanmer)
Councillor Bailey
Parish Council Coady

Officers: Borough Solicitor (Mr T Broderick)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

6. APPOINTMENT OF CHAIRMAN

RESOLVED: That Mr P Hanmer be appointed Chairman for the meeting.

7. APOLOGIES

There were no apologies for absence.

8. MEMBERSHIP OF THE COMMITTEE

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

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. PROCEDURE FOR THE INITIAL ASSESSMENT OF WRITTEN COMPLAINTS OF BREACH OF THE CODE OF CONDUCT RECEIVED UNDER SECTION 57(A)(1) OF THE LOCAL GOVERNMENT ACT 2000

RESOLVED: That the Procedure be noted.

11. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/52

The Review Sub-Committee considered the report of the Managing Director (People and Places) and Borough Solicitor to review a decision of the Assessment Sub-Committee taken on 19 December 2011 when no findings of fact were made.

The Sub-Committee also considered the review report at Appendix 6 and the recommendations therein.

RESOLVED: A. That the Review Decision Notice agreed be issued.

B. That the written summary of the allegation be provided to the subject member.

**STANDARDS COMMITTEE
REVIEW SUB-COMMITTEE**

**HELD: 29 MAY 2012
START: 5.15PM
FINISH: 5.45PM**

PRESENT:

Members: Independent Member (Mr P Hanmer)
Councillor Bailey
Parish Council Gallagher

Officers: Borough Solicitor (Mr T Broderick)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

1. APPOINTMENT OF CHAIRMAN

RESOLVED: That Mr P Hanmer be appointed Chairman of the meeting.

2. APOLOGIES

There were no apologies for absence.

3. MEMBERSHIP OF THE SUB-COMMITTEE

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

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. PROCEDURE FOR THE INITIAL ASSESSMENT OF WRITTEN COMPLAINTS OF BREACH OF THE CODE OF CONDUCT RECEIVED UNDER SECTION 57(A)(1) OF THE LOCAL GOVERNMENT ACT 2000

RESOLVED: That the Procedure be noted.

6. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/52

The Standards Committee Review Sub-Committee considered the report of the Managing Director (People and Places) and Borough Solicitor giving details of the action taken or proposed to comply with the decision of the Sub-Committee on 6 February 2012.

RESOLVED: That the Review Sub-Committee was not satisfied with the action specified in the report.

PRESENT: Councillor Kay (In the Chair)

Councillors: S Jones
Mrs Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Mrs. S. Jordan)
Member Services Officer (Mrs. J. Brown)

In attendance: Mr R. Hall (Applicant)
Mr S. Hall (Applicant)
Objector (41 Stanley Street)

9. APOLOGIES

There were no apologies for absence received.

10. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

11. URGENT BUSINESS

There were no items of urgent business.

12. DECLARATIONS OF INTEREST

There were no declarations of interest

13. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

14. MINUTES

RESOLVED: That the Minutes of the Licensing Sub – Committee held on 4 August 2011 be received as a correct record and signed by the Chairman.

15. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

16. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 43 STANLEY STREET, ORMSKIRK, L39 2DH.

Consideration was given to the report of the Director of People and Places as contained on pages 55 to 84 of the Book of Reports in respect of an application for a premises licence in respect of 43 Stanley Street, Ormskirk, L39 2DH.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S.182 of the Licensing Act. It considered the relevant objectives on this occasion were the ‘prevention of public nuisance’ and ‘prevention of crime and disorder’.

On hearing evidence from the Applicant and member of the public into consideration the Sub – Committee:-

- RESOLVED:
- A. That the sale of alcohol shall be permitted daily between 09.00 hours and 21.00 hours.
 - B. That the premises shall be open to the public daily between 09.00 hours and 21.00 hours.
 - C. That the premises shall install, operate and maintain a comprehensive CCTV system to the satisfaction of Lancashire Constabulary. The front door will be covered by the CCTV system enabling frontal identification of every person entering in any light condition. Two additional CCTV cameras shall be placed at the front covering the parking area on Stanley Street and Wigan Road. A sign notifying members of the public that CCTV is in operation shall be displayed on each side of the building.
 - D. That a monitor be placed behind the counter so that members of staff can continually monitor the external areas of the property during opening hours.
 - E. The CCTV system shall record continually whilst the premises are open for licensable activities and during all times that customers remain on the premises. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer upon reasonable request. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times that the premises are open to the public. This member of staff shall be able to show Police or authorised officer recent data or footage with the minimum of delay.
 - F. That a lock shall be fitted to the rear door that leads to the office/store room, e.g. keypad lock.
 - G. That a challenge 21 policy shall be adopted.
 - H. That a refusal/incident book shall be kept in a place easily accessible by all members of staff.
 - I. That soundproofing be applied to the party wall in order to minimise disturbance to the adjoining property at 41 Stanley Street.

- J. That the mandatory condition for the supply of alcohol as contained in Section 19 of the Licensing Act 2003 apply to this Licence.

- CHAIRMAN-

LICENSING SUB – COMMITTEE

HELD: 1 NOVEMBER 2011

Start: 10.30am

Finish: 11.40am

PRESENT: Councillor Kay (In the Chair)

Councillors: M Pendleton
Mrs Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Mrs. S. Jordan)
Member Services Officer (Mrs. J. Brown)

In attendance: Mr. K. Williams (Burscough Parish Council)
Mr C. Crowell (Applicant)

17. APOLOGIES

There were no apologies for absence received.

18. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

19. URGENT BUSINESS

There were no items of urgent business.

20. DECLARATIONS OF INTEREST

There were no declarations of interest.

21. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip,

22. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

23. MINUTES

RESOLVED: That the Minutes of the Licensing Sub – Committee held on 12 September 2011 be received as a correct record and signed by the Chairman.

24. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE IN RESPECT OF THE BLUE MALLARD, BURSCOUGH WHARF, SMITHY WALK, BURSCOUGH.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 93 to 125 of the Book of Reports in respect of an application for the variation of a Premises Licence in respect of the Blue Mallard, Burscough Wharf, Smithy Walk, Burscough.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act. It considered the relevant objectives on this occasion were the ‘prevention of public nuisance’.

On hearing evidence from the Applicant and Burscough Parish Council into consideration the Sub – Committee:-

- RESOLVED:
- A. That the Application to vary the licence shall be approved except that the hours open to the public shall be Friday and Saturday 07.30 hours to 02.00 hours. Sunday to Thursday 07.30 hours to 01.00 hours.
 - B. That the balcony shall be closed to the public from 00.00 hours to close.
 - C. That music played on the balcony area shall cease at 22.30 hours daily.
 - D.. That there shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly which includes the exit to the public car parks.
 - E. That the mandatory condition for the supply of alcohol as contained in Section 19 of the Licensing Act 2003 apply to this Licence.

- CHAIRMAN-

LICENSING SUB – COMMITTEE

HELD: 29 NOVEMBER 2011

Start: 10.30am

Finish: 11.05am

PRESENT: Councillor Ainscough (In the Chair)

Councillors: M Pendleton
Mrs Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Mrs. S. Jordan)
Member Services Officer (Mrs. J. Brown)

In attendance: Mr. Cook (Applicant)

25. APOLOGIES

There were no apologies for absence received.

26. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

27. URGENT BUSINESS

There were no items of urgent business.

28. DECLARATIONS OF INTEREST

There were no declarations of interest.

29. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

30. MINUTES

RESOLVED: That the Minutes of the Licensing Sub – Committee held on 1 November 2011 be received as a correct record and signed by the Chairman.

31. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

32. APPLICATION TO VARY A CLUB PREMISES CERTIFICATE IN RESPECT OF TARLETON RUGBY UNION FOOTBALL CLUB. CARR LANE, TARELTON, PR4 6BT

Consideration was given to the report of the Assistant Director Community Services as contained on pages 133 to 172 of the Book of Reports in respect of an application to vary a club Premises Licence in respect of Tarleton Rugby Union Football Club, Carr Lane, Tarleton, PR4 6BT.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act. It considered the relevant objectives on this occasion were the ‘prevention of public nuisance’ and ‘prevention of crime and disorder’.

On hearing evidence from the Applicant and members of the public into consideration the Sub – Committee:-

- RESOLVED: A. That the Application be GRANTED subject to the agreed conditions.
- B. That noise from music, regulated entertainment and associated sources (Including D.J.’s and amplified voices) shall not be audible at the external boundary of any neighbouring residential premises at any time.
- C. That there shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
- D. That the placing of refuse, such as bottles into receptacles outside the premises shall take place between 08.00 hours and 22.30 hours so as to prevent disturbance to nearby premises.
- E. That the mandatory condition for the supply of alcohol as contained in Section 19 of the Licensing Act 2003 apply to this Licence.

-CHAIRMAN-

LICENSING SUB – COMMITTEE

HELD: 6 DECEMBER 2011

Start: 10.30am

Finish: 3.00pm

PRESENT: Councillor Kay (In the Chair)

Councillors: M Pendleton
Mrs. Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Mrs. S. Jordan) (Agenda items 1–8)
Member Services Officer (Mrs. J. Brown) (Agenda items 1–8)
Senior Licensing Officer (Ms. M. Murray) (Agenda item 9)
Member Services Officer (Ms. J. Jones) (Agenda item 9)

In attendance: Mr. Gilchrist (Applicant) (Agenda item 8)
Mr. Ashworth (Applicant) (Agenda item 8)
Mr. Williams (Burscough Parish Clerk) (Agenda item 8)
Mr. Bailey (Burscough Parish Council) (Agenda item 8)
(Objector - 48 Orrell Lane) (Agenda item 8)
Mr. Granite & Son (Applicants) (Agenda item 9)
(Objector – 51 Manfield) (Agenda item 9)

33. APOLOGIES

There were no apologies for absence received.

34. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

35. URGENT BUSINESS

There were no items of urgent business.

36. DECLARATIONS OF INTEREST

There were no declarations of interest.

37. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

38. MINUTES

RESOLVED: That the Minutes of the Licensing Sub – Committee held on 29 November 2011 be received as a correct record and signed by the Chairman.

39. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

40. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF BURSCOUGH FOOTBALL CLUB, VICTORIA PARK, MART LANE, BURSCOUGH, L40 0SD.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 177 to 212 of the Book of Reports in respect of an application for a Premises Licence in respect of Burscough Football Club, Victoria Park, Mart Lane, Burscough, L40 0SD.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act. It considered the relevant objectives on this occasion were the ‘prevention of public nuisance’.

On hearing evidence from the Applicant, Burscough Parish Council and members of the public into consideration the Sub – Committee:-

RESOLVED: That the Application be REFUSED.

41. APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF THE OLD TOBY, ASHLEY ROAD, ASHURST, SKELMERSDALE, WN8 6XN.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 213 to 257 of the Book of Reports in respect of an application to vary a Premises Licence in respect of The Old Toby, Ashley Road, Ashurst, Skelmersdale, WN8 6XN.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S.182 of the Licensing Act. It considered the relevant objectives on this occasion were the ‘prevention of public nuisance’ and ‘prevention of crime and disorder’.

On hearing evidence from the Applicant and member of the public into consideration the Sub – Committee decided that the conditions of the Premises Licence be amended as follows:-

- RESOLVED: A. That the remainder of the conditions of the licence remain unchanged save for the following.
- B. That the provision of regulated entertainment and entertainment facilities (with the exception of live music) is permitted to take place on the premises between 10.00 hours and 00.00 hours Sunday to Thursday and 10.00 hours and 02.00 hours Fridays, Saturdays, Christmas Eve, Boxing Day and all Bank Holidays.
- C. That noise from music and associated sources (including D.J.s and amplified voices) shall not be audible at the boundary of any neighbouring residential premises after 20.00 hours any day.

- D. That Regulated Entertainment shall only be permitted in the outside area of the premises between 12.00 hours and 20.00 hours on any day.

- CHAIRMAN-

LICENSING SUB – COMMITTEE

HELD: 15 DECEMBER 2011

Start: 10.30am

Finish: 6.10 p.m.

PRESENT: Councillor Kay (In the Chair)

Councillors: M Pendleton
Sudworth

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Ms. M. Murray)
Member Services Officer (Mrs. J. Brown)
Senior Environmental Health Officer (Mrs. J. Antrobus)

In attendance: Police Sergeant 1506 A. Bushell (Lancashire Constabulary)
Inspector S Swift (Lancashire Constabulary)
P.C. Wells (Lancashire Constabulary)
PCSO McKee (Lancashire Constabulary)
Mr. J. McHugh (in support of premises licence)
Mr. G. McHugh (in support of premises licence)
Mr. L. McHugh (in support of premises licence)
Mr Martins (in support of premises licence)
Mr. J. Hart (Barrister)

42. APOLOGIES

There were no apologies for absence received.

43. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

44. URGENT BUSINESS

The Chairman had indicated that a report relating to a Temporary Event Notice – submitted in respect of Embargos, 62 Birkrig, Skelmersdale be considered as an item of urgent business by reason of special circumstances, namely due to Section 105(2) of the Licensing Act 2003 (the Act) - if an Objection Notice is submitted by the Lancashire Constabulary against a Temporary Event Notice, a hearing must be held within 7 working days after the date of receipt. The Licensing Service received the Temporary Event Notice on Thursday 8 December 2011 and on the same day the Lancashire Constabulary submitted an Objection Notice, therefore a hearing must take place before 19 December 2011.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 307 to 326 of the Book of Reports in respect of a Temporary Event Notice submitted under the Act in respect of Embargos, 62 Birkrig, Skelmersdale.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act 2003. The Committee is restricted by the Act to consider only the ‘prevention of crime and disorder’ Licensing Objective.

On hearing evidence from the Applicant and Lancashire Constabulary into consideration the Sub – Committee:-

RESOLVED: That the Temporary Event Notice in respect of Embargos, 62 Birkrig, Skelmersdale be UPHELD and the event allowed to take place.

45. DECLARATIONS OF INTEREST

There were no declarations of interest.

46. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

47. MINUTES

RESOLVED: That the Minutes of the meeting held on 6 December 2011 be received as a correct record and signed by the Chairman.

48. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

49. APPLICATION FOR A REVIEW OF A PREMISES LICENCE IN RESPECT OF EMBARGOS, 62 BIRKRIG, SKELMERSDALE.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 263 to 305 of the Book of Reports in respect of the review of a Premises Licence in respect of Embargos, 62 Birkrig, Skelmersdale.

Further consideration was given to a witness statement from Lancashire Constabulary requesting that Members consider revocation of the Premises Licence in light of new information.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act 2003. It considered the relevant Licensing Objectives on this occasion were the ‘prevention of public nuisance’, ‘prevention of crime and disorder’ and the ‘protection of children from harm’.

On hearing evidence from the Respondent, Senior Environmental Health Officer and Lancashire Constabulary into consideration the Sub – Committee:-

- RESOLVED:
- A. The Committee considered that there is sufficient evidence to show that there has been breaches of the conditions applied to the licence and therefore that under its Licensing Policy the Committee issue a yellow card warning. If a further review is received regarding problems arising from the premises the presumption of that review will be to revoke the licence.
 - B. That the DPS or an employee holding a personal licence shall be in charge and on the premises at all times it is open to the public.
 - C. That there shall be no irresponsible drinks promotions were the price of the drinks shall be no less than 75% of the regular selling price on the premises.
 - D. The following conditions under Annex 1 be removed from the wording of the premises licence as they are mandatory conditions:-
 - Supply of alcohol
 - Dispensing of alcohol into the mouth
 - Free tap water
 - Exhibition of films
 - E. That the following conditions under Annex 2 shall be removed:-
 - Closing hours on the Sunday and Bank holiday weekend shall be 02.00
 - Any Member found to break club rules and/or act in an unsociable manner shall have their membership revoked and not be allowed back onto the premises.
 - Recorded music can continue until close, but the final thirty (30) minutes at a reduced volume' shall be removed.
 - F. That the condition regarding the noise limiter in Annex 2 shall remain, however the permitted noise level will be set in consultation with a Senior Environmental Health Officer'.
 - G. The condition regarding CCTV in Annex 2 shall be amended to state CCTV:- A tamper proof digital CCTV system will be installed, operated and maintained in liaison with and to the satisfaction of Lancashire Constabulary, the system will have internal and external cameras and record for 24 hours every day, the images will be retained for a minimum of 28 days' and there will be, at all times licensable activity is provided, someone at the premises who can operate and download the images from the system and these will be provided to any responsible authority upon reasonable request.

- H. The condition regarding the removal of bottles from the premises shall be amended to state:-Customers will not be permitted to take any glasses or bottles out of the premises and no alcohol purchased for consumption on or off the premises shall be consumed in any outside area of the premises, including any area set aside for smoking’.
- I. That the premises will operate a policy that prevents the sale of alcohol to persons under 18 to the satisfaction of the Police and Local Authority. This policy shall state that any person who does not appear to be at least 25 years of age, will not be served unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), photocard driving licence or passport’
- J. That the DPS will ensure that all staff are trained in preventing sales of age restricted products to underage persons. This training will be ongoing with refresher training taking place on a regular basis. This training will be recorded and copies of these records will be made available upon request to any responsible authority’.
- K. That no performance involving striptease or nudity will take place without the prior approval of the Licensing Authority
- 1) That applications for approval shall be in writing and will detail together with an adequate plan of the premises:
 - 2) The performance area
 - 3) The means of access and egress to and from the performance area
 - 4) The dressing room arrangements
 - 5) Security arrangements, including the means by which physical contact between performers and customers will be prevented
 - 6) The appearance and content of advertising material; outside and inside the premises
 - 7) The means by which potential customers will be made aware of the nature of the performance
 - 8) That no performance shall involve the use of sex articles (as defined in the Local Government (Miscellaneous Provisions) Act 1982).
 - 9) That performers shall not be the subject of any advertising involving the distribution of leaflets, promotion by canvassers or by touting.
 - 10) That neither the DPS, the performer(s) or any person concerned with the licensed premises or the entertainment shall encourage or permit others to encourage the audience to throw money to or otherwise give gratuities to the performer(s).

- L. That whenever the premises provides licensable activity on a Friday, Saturday or Sunday, there will be a minimum of 3 door supervisors employed at the premises from the time of opening until the premises closes.
- M. That a record shall be kept on the premises by the DPS of every person employed on the premises as a door supervisor. The record shall contain the following details:
- Name, address;
 - Date of birth;
 - His/her Security Industry Authority licence number.
- That record shall be kept for a six month period and made available upon request to any responsible authority.
- N. That a written record of refusals of entry or ejection from the premises shall be kept on the premises and shall be kept for a six month period and made available upon request of any responsible authority.

- CHAIRMAN -

LICENSING SUB – COMMITTEE

HELD: 31 JANUARY 2012

Start: 10.30am

Finish: 12.35pm

PRESENT: Councillor Kay (In the Chair)

Councillors: M Pendleton
Mrs. Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Ms. S. Jordan)
Member Services Officer (Mrs. J. Brown)

In attendance: Mr. A. Woolbridge (Applicant)
Mr. D. Temkin (Barrister)
Mr. Thompson (Objector)

50. APOLOGIES

There were no apologies for absence received.

51. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

52. URGENT BUSINESS

There were no items of urgent business.

53. DECLARATIONS OF INTEREST

There were no declarations of interest.

54. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

55. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

56. MINUTES

RESOLVED: That the Minutes of the meeting held on 15 December 2011 be received as a correct record and signed by the Chairman.

57. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF WILDFOWL & WETLANDS TRUST, MARTIN MERE, FISH LANE, BURSCOUGH, LANCASHIRE, L40 0TA.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 317 to 354 of the Book of Reports in respect of an Application for a

Premises Licence in respect of Wildfowl & Wetlands Trust, Martin Mere, Fish Lane, Burscough, Lancashire, L40 0TA.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act 2003. It considered the relevant Licensing objectives on this occasion were the ‘prevention of public nuisance’, ‘public safety’, ‘prevention of crime and disorder’, and the ‘protection of children from harm’.

On hearing evidence from the Applicant and Lancashire Constabulary into consideration the Sub – Committee:-

- RESOLVED:
- A. That the sale of alcohol shall be permitted between 08.00 hours and 23.00 hours Sunday to Thursday and 08.00 hours and Midnight Friday and Saturday.
 - B. That the premises shall be open to the public 08.00 hours to Midnight Sunday to Thursday and 08.00 hours to 01.00 hours Friday and Saturday.
 - C. That the provision of films, plays, live music, recorded music, performance of dance, facilities for making music, facilities for dancing and facilities for entertainment of a similar description shall be permitted between 08.00 hours and 23.00 hours Sunday to Thursday and 08.00 hours and Midnight Friday and Saturday.
 - D. That late night refreshment be permitted between 23.00 hours to Midnight Friday and Saturday.
 - E. That the premises shall install, operate and maintain CCTV agreeing number and location of cameras to the satisfaction of Lancashire Constabulary.
 - F. That at all times during the provision of licensable activity, there shall be someone at the premises who can operate and download images from the system and these will be provided to any responsible authority upon reasonable request.
 - G. That the exit to the car park shall be closed to patrons attending functions finishing later than 20.00 hours and shall be instructed to exit via the entrance of the premises and that the exit to the car park shall be closed off to facilitate this.
 - H. That the security lighting shall be adjusted as to limit light pollution to neighbouring properties.

- CHAIRMAN -

LICENSING SUB – COMMITTEE

HELD: 14 MARCH 2012

Start: 10.15am

Finish: 1.10pm

PRESENT: Councillor Ainscough (In the Chair)

Councillors: S. Jones
Mrs. Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Ms. M. Murray)
Principal Planning Officer (Ms. E. Woolacott)
Environmental Protection and Community
Safety Manager (Mr. A. Hill)
Member Services Officer (Mrs. J. Brown)

In attendance: Mr. F. J. Jordan (Applicant)
Mr. I. Whalley (Solicitor)
Mr. M. Blundell (Organiser of 'Rock the Lakes' event)

58. APOLOGIES

There were no apologies for absence received.

59. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

60. URGENT BUSINESS

There were no items of urgent business.

61. DECLARATIONS OF INTEREST

There were no declarations of interest.

62. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

63. MINUTES

RESOLVED: That the Minutes of the meeting held on 31 January 2012 be received as a correct record and signed by the Chairman.

64. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

65. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF LEISURE LAKES EVENT FIELD, LEISURE LAKES, MERE BROW, TARLETON.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 361 to 407 of the Book of Reports in respect of an application for a Premises Licence in respect of Leisure Lakes Event Field, Leisure Lakes, Mere Brow, Tarleton.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act 2003. It considered the relevant Licensing Objective on this occasion was the ‘prevention of public nuisance’.

On hearing evidence from the Applicant, Principal Planning Officer and Environmental Protection and Community Safety Manager into consideration the Sub – committee:-

- RESOLVED: A.. That the licence be granted with the following conditions:-
- B. That there will be a maximum of three events per calendar year (each event shall be a maximum of 4 days) and these events will be limited to Country & Western music and re-enactment functions.
 - C. That numbers shall be limited to 800 persons at each event.
 - D. That live music, recorded music, performance of dance and anything of a similar description, facilities for dancing or facilities of a similar description and supply of alcohol shall be limited to 11.00 hours to 00.00 hours Friday to Monday.
 - E. That the hours that the premises are open to the public shall be limited to 11.00 hours to 00.30 hours Friday to Monday.
 - F. That late night refreshment shall be allowed between 23.00 hours to 00.00 hours Friday to Monday.
 - G. That any erected structure shall have a CCTV system installed to cover the bar area and shall be operated and maintained to the satisfaction of Lancashire Constabulary.
 - H. That the CCTV system shall be digital and have the capability of 24 hour recording. These recordings shall be kept for a minimum of 28 days.
 - I. That there shall be a member of staff on duty at all times that any erected structure is open, who is trained and capable of providing a copy of any recording to any responsible authority, upon reasonable request.

- J. That at any event there will be an incident book to record details of incidents related to the event taking place. The entries will include:- Time of incident, Date of incident, Identity of person making the entry. This book shall be kept by the Premises Licence Holder and produced for inspection by any responsible authority upon reasonable request.
- K. That the Premises Licence Holder will have a written Policy in place, to the satisfaction of Lancashire Constabulary to prevent the sale and supply of alcohol to persons under the age of 18 whenever there is an event taking place. This Policy shall state that any person, who does not appear to be at least 21 years of age, will not be served alcohol unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), photo card driving licence or passport.
- L. That all staff will be trained with regard to the sale of age restricted products. Refresher training will be carried out on a regular basis and all training shall be recorded and retained by the Premises Licence Holder. These records will be made available for inspection by any responsible authority upon reasonable request.
- M. That notices will be displayed where they can be clearly seen and read within the structure indicating that there is a Challenge Policy in relation to the sale of alcohol in operation.
- N. That the Premises Licence Holder/ Designated Premises Supervisor on a risk will determine door staff requirements at any event assessed basis and such risk assessment will be recorded in writing to the satisfaction of Lancashire Constabulary.
- O. That personnel on duty at the events will be identified by the Management. The Management Team will maintain a register of all personnel who will sign in daily for duties at the events.
- P. That during the events all designated personnel will be easily identifiable by wearing high visibility vests and name badges.
- Q. That an admission policy will be developed and promoted on site (for each event) to the satisfaction of the Police.
- R. That a meeting will be held at least two months prior to an event, all relevant authorities will be invited to attend and the purpose of the meeting shall be to agree to all fundamental aspects of Health and Safety and related planning issues.

The key elements of the planning meeting will include:-

The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance

The Protection of Children from Harm
Auditing and reviewing performance
Creating a Health and Safety Policy
Planning to ensure the Policy is put into practice
Organising an effective Management structure and arrangements for
delivery of the Policy
Monitoring Health and Safety performance

-CHAIRMAN -