



Kim Webber B.Sc. M.Sc.  
Acting Chief Executive

52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

16 February 2016

**TO: THE MAYOR AND COUNCILLORS**

Dear Councillor,

You are summoned to a meeting of the **COUNCIL** to be held in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK, L39 2DF** on **WEDNESDAY 24 FEBRUARY 2016** at **7:30PM** at which your attendance is requested.

Yours faithfully,

Kim Webber  
Acting Chief Executive

**A G E N D A**  
**(Open to the Public)**

**1. PRAYERS**

**2. APOLOGIES**

**3. DECLARATIONS OF INTEREST**

If a member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.) **Page(s) 975 to 976**

**4. MINUTES**

To consider the Minutes of the Meeting of Council held on Wednesday 16 December 2015. **Page(s) 977 to 988**

**5. ANNOUNCEMENTS BY THE MAYOR AND/OR THE ACTING CHIEF EXECUTIVE**

- 6. TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2**
- 7. MINUTES OF COMMITTEES**  
To receive the minutes of the following meetings, to confirm, if appropriate, such of the minutes as require confirmation and to pass such resolutions as the Council may deem necessary:
- (a) **Planning Committee held on Thursday 14 January 2016.**  
**Page(s) 989 to 996**
  - (b) **Audit and Governance Committee held on Tuesday 26 January 2016.**  
**Page(s) 997 to 1000**
  - (c) **Polling Districts and Polling Places Review Committee held on Wednesday 27 January 2016.**  
**Page(s) 1001 to 1002**
  - (d) **Licensing and Gambling Committee held on Tuesday 2 February 2016.**  
**Page(s) 1003 to 1004**
  - (e) **Licensing and Appeals Committee held on Tuesday 2 February 2016.**  
**Page(s) 1005 to 1008**
  - (f) **Planning Committee held on 11 February 2016. (To follow)**
- 8. EXCLUSION OF PRESS AND PUBLIC**  
It is recommended that members of the press and public be excluded from the meeting during consideration of the following item(s) of business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the 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. The nature of the exempt information and the relevant exemption paragraphs are shown in brackets after the report title.
- PART 2**  
(Not open to the Public)
- 9. MANAGEMENT STRUCTURE - POST OF CHIEF EXECUTIVE**  
To consider the report of the Leader of the Council.  
(Any Individual - Para 1, Financial/Business Affairs - Para 3 & Labour Relations - Para 4)  
**Page(s) 1009 to 1036**
- 10. SENIOR MANAGEMENT STRUCTURE**  
To consider the report of the Acting Chief Executive.  
(Any Individual - Para 1, Financial/Business Affairs - Para 3 & Labour Relations - Para 4)  
**Page(s) 1037 to 1068**
- 11. STRATEGIC ASSETS PURCHASE FUND**  
To consider the report of the Interim Director Housing and Regeneration.  
(Financial/Business Affairs - Para 3)  
**Page(s) 1069 to 1078**

**PART 3**  
**(Open to the Public)**

- 12. PAY POLICY STATEMENT**  
To consider the report of the Interim Borough Transformation Manager.  
**Page(s) 1079 to 1098**
- 13. MEMBERS' ALLOWANCES SCHEME 2016/17 AND APPOINTMENT OF INDEPENDENT REMUNERATION PANEL (IRP)**  
To consider the report of the Interim Borough Solicitor. **Page(s) 1099 to 1112**
- 14. POLICY OPTIONS 2016/17**  
To consider the report of the Acting Chief Executive. **Page(s) 1113 to 1156**
- 15. SUSPENSION OF COUNCIL PROCEDURE 13.4**  
To enable the Portfolio Holder / Shadow Portfolio Holder to present their budget statement it will be necessary to suspend Council Procedure Rule 13.4 for Agenda Items 16 and 19. This Rule limits the length of a speech to 5 minutes.
- 16. \* BUDGET REQUIREMENT 2016/17**  
To consider the report of the Interim Borough Treasurer. **Page(s) 1157 to 1178**
- 17. \* DETERMINATION OF COUNCIL TAX 2016/17**  
To consider the report of the Interim Borough Transformation Manager.  
**Page(s) 1179 to 1188**
- 18. MEDIUM TERM GRA CAPITAL PROGRAMME**  
To consider the report of the Interim Borough Treasurer. **Page(s) 1189 to 1212**
- 19. HOUSING ACCOUNT - REVENUE AND CAPITAL PROGRAMME**  
To consider the joint report of the Interim Borough Treasurer and the Interim Director Housing & Regeneration.  
**Page(s) 1213 to 1236**
- 20. CAPITAL FINANCING AND TREASURY MANAGEMENT FRAMEWORK**  
To consider the report of the Interim Borough Treasurer. **Page(s) 1237 to 1248**
- 21. MAYOR ELECT 2016/17**  
To consider the report of the Interim Borough Solicitor. **Page(s) 1249 to 1250**
- 22. TIMETABLE OF MEETINGS 2016/17**  
To consider the report of the Interim Borough Solicitor. **Page(s) 1251 to 1254**
- 23. LEISURE STRATEGY CONSULTATION RESULTS**  
To consider the report of the Interim Director Community Services.  
**Page(s) 1255 to 1288**
- 24. LIVERPOOL CITY REGION HOUSING & SPATIAL PLANNING BOARD**  
To consider the report of the Interim Director Planning. **Page(s) 1289 to 1292**

**25. THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015**

To consider the report of the Interim Director Community Services.

**Page(s) 1293 to End**

**26. MOTIONS**

To consider the following Motions included on the agenda by the Members indicated:

**(a) Transatlantic Trade and Investment Partnership (TTIP) - Motion included on the Agenda by Councillor Dereli on behalf of the Labour Group**

That this Council joins with 26 other Local Authorities in the UK, in declaring ourselves to be a TTIP-free zone and in doing so declare our fundamental opposition to this trade deal being negotiated by the EU with no mandate from the people of the UK or of other countries across Europe.

This Council notes that Lancashire County Council, in declaring its opposition to TTIP, invited us to join them and that the response they have received from the Local Government Association (LGA) indicated that they will be lobbying against it. That this Council writes to the LGA expressing support for their campaign against TTIP and to local MPs asking them to join in lobbying against this trade deal, which poses a threat both to the very existence of any public services and to democratic accountability.

**(b) Cleaning of Highway Gullies, Culverts and Trash Barriers - Motion included on the Agenda by Councillor Greenall on behalf of the Conservative Group**

That this Council condemns the decision taken by Lancashire County Council (LCC) in February 2015 to stop regular cleaning of highway gullies, culverts and trash barriers and only to clean them when there is a need i.e. once they are reported as blocked. In view of the serious flooding in various parts of West Lancashire over the Christmas period, this Council calls upon LCC to reinstate the regular and proactive routine cleaning of highway gullies, culverts and trash barriers, to ensure that the risk of flooding in the future is reduced. Accordingly, the Acting Chief Executive is to write to the Chief Executive of LCC to convey this request.

**(c) Planning and Licensing Applications E-mail Notification - Motion included on the Agenda by Councillor Owens**

That the current neighbour notification for planning applications, while meeting legal requirements, excludes notification of many residents living close to proposed developments and that there is no system of notification of interested residents when applications are received for Premises Licences or changes under the Licensing Act 2003.

That while recognising the financial constraints on the council budgets, it is noted that notification by email of validated planning applications is sent to councillors on a weekly basis and similar email notification of applications under the Licensing Act 2003 as they are made and so resolves that a system be established within 3 months to allow residents to register, via the council website, to be added to the email circulation list to receive these notification emails in the same manner as councillors currently do.

**(d) Community Use of Council Premises - Motion included on the Agenda by Councillor D Westley on behalf of the Conservative Group**

That given the article on the front page of the Champion Newspaper dated 10th February 2016, that carried the headline "Residents Group fury over two-faced councillors" and disclosed alleged details of an exchange of offensive emails between five named Labour councillors and a Labour candidate and given that these same labour councillors were allegedly giving consideration to means of trying to subvert the Ormskirk Residents Group including the banning of the Group's use of the Council's premises for it's meeting, this Council resolves the following;

(a) That this Council highly values the work of all the Voluntary Community Groups and Associations in West Lancashire, welcomes opportunities to interact and exchange views and undertakes to do so without interference.

(b) That the Acting Chief Executive be instructed to bring a Report back to a future meeting of the Full Council on the Community use of Council Premises that details existing such usage, existing policies or protocols and makes suitable recommendations to provide safeguards against possible political interference by members.

**(e) Fracking in Lancashire - Motion included on the Agenda by Councillor J Hodson on behalf of the Labour Group**

That Lancashire County Council has spent significant time and resources ensuring that the process of determining planning applications on Fracking in Lancashire has been open, transparent and well informed. The Development Control Committee received evidence and opinion from organisations both in favour of and opposed to Fracking, as well as from local resident groups, local businesses and public health professionals.

That whilst national government is rightly entitled to take a view and determine national policy regarding energy, this Council believes that the determination of individual planning applications should remain with the County Council as it is best able to consider local planning issues. The Secretary of State is a member of a cabinet with a clear policy in favour of Fracking and he has made statements in favour of Fracking.

That this Council strongly supports Lancashire County Council as the legitimate democratic decision making body for Planning Applications on Fracking in Lancashire.

\* In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulation 2014, a recorded vote will be taken on these items.

**We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.**

**FIRE EVACUATION PROCEDURE: Please see attached sheet.**

**MOBILE PHONES: These should be switched off or to 'silent' at all meetings.**

*For further information, please contact:-*

*Jacky Denning on 01695 585384*

*or email [jacky.denning@westlancls.gov.uk](mailto:jacky.denning@westlancls.gov.uk)*



**FIRE EVACUATION PROCEDURE FOR:  
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT  
(52 DERBY STREET, ORMSKIRK)**

**PERSON IN CHARGE:** Most Senior Officer Present  
**ZONE WARDEN:** Member Services Officer / Lawyer  
**DOOR WARDEN(S)** Usher / Caretaker

**IF YOU DISCOVER A FIRE**

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

**ON HEARING THE FIRE ALARM**

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

**NOTES:**

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

**CHECKLIST FOR PERSON IN CHARGE**

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

**IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED**

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

**NOTE:**

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

### **CHECKLIST FOR ZONE WARDEN**

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

### **INSTRUCTIONS FOR DOOR WARDENS**

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.