

**EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE****HELD 4 FEBRUARY 2010**

Start: 7.30pm

Finish: 9.25pm

**PRESENT:**

Councillor

Bailey (Chairman)  
Hammond (Vice Chairman)

Councillors

Baldock  
Mrs. Blake  
Cotterill  
Cropper  
Mrs. Evans  
Gartside  
Grice  
Griffiths  
McKay  
R.A. Pendleton  
Pope  
Pratt  
J. Roberts  
VickersIn Attendance  
Councillor:Grant  
Forshaw  
Westley  
Leader  
Portfolio Holder (Planning & Transportation)  
Portfolio Holder (Finance & Performance  
Management)

Officers

Executive Manager Housing and Property Maintenance  
Services (Mr B Livermore)  
Head of Leisure & Cultural Services (Mr J Nelson)  
Access to Services & Performance Manager (Mr S Walsh)  
LDF, Strategy & Environment Manager (Mr I Gill)  
Strategic Housing Manager (Mr S Jones)  
Refuse and Recycling Manager (Mrs P Burgess)  
Group Accountant (Mr M Kostrzewski)  
Group Accountant (Mr D McCulloch)  
Property Services Manager (Mr P Holland)  
Business Development Manager (Mr W Berkley)  
Response Maintenance Manager (Mr M Dutton)  
Principal Partnership & Performance Manager (Ms C  
McNamara)  
Legal Services Manager (Mr T Broderick)  
Principal Member Services Officer (Mrs S Griffiths)**50. APOLOGIES**

Apologies for absence were submitted on behalf of Councillor W.G. Roberts.

**51. MEMBERSHIP OF THE COMMITTEE**

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

**52. URGENT BUSINESS**

There were no items of urgent business.

**53. DECLARATIONS OF INTEREST**

It is noted that the Code of Conduct in relation to personal and prejudicial interests of Cabinet Members when they have taken a decision is overridden by Section 21(13) of the Local Government Act 2000.

1. Councillors Bailey, Baldock, Mrs. Blake, Cropper, Mrs. Evans, Grant, Pope, Pratt, Vickers and Westley declared personal interests in Agenda item 15 (Medium Term Capital Programme), in view of their membership of Parish Councils.
2. Councillor Cotterill declared a personal interest in Agenda item 15 (Medium Term Capital Programme) in view of his wife's membership of Bickerstaffe Parish Council.
3. Councillors Bailey, Cropper and Westley declared personal interests in relation to item 7(b) (Joint Lancashire Minerals and Waste Development Framework Site Allocations and Development Management Development Plans Document Consultation) and item 9 (KDFP – A Revitalised Demand-responsive Transport System for Skelmersdale) as members of Lancashire County Council.
4. Councillor J. Roberts declared a personal interest in relation to item 7(b) (Called in item – Joint Lancashire Minerals and Waste Development Framework Site Allocations and Development Management Development Plans Document Consultation) in view of her employment at Knowsley Metropolitan Borough Council.
5. Councillor Westley declared a personal and prejudicial interest in item 8(b) (Cabinet minutes – 94 Ormskirk Model Boating Lake) as a trustee of the Comrades Club, which is a neighbouring property to the site.
6. Councillor Grice declared a personal and prejudicial interest in item 10 (West Lancashire Community Trust – Charitable Status) in view of him being appointed by Council to serve on the Leisure Trust Board and left the Chamber during the discussion thereon.

**54. DECLARATIONS OF PARTY WHIP**

There were no declarations of a party whip.

**55. MINUTES**

RESOLVED:            That the minutes of the last meeting of the Committee held on 3 December 2009 be approved as a correct record and signed by the Chairman.

**56. CALLED IN ITEMS**

Consideration was given to the following called in items, as circulated and contained on pages 487 – 506 and 701 - 749 of the Book of Reports.

**56. HOME CARE LINK: INVESTMENT OPTIONS FOR THE CONTROL CENTRE (SEE PART 2 - PRIVATE AND CONFIDENTIAL)**

This item was considered at agenda item no. 21 within part 2 (Private and Confidential) of the meeting.

**57. JOINT LANCASHIRE MINERALS AND WASTE DEVELOPMENT FRAMEWORK SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLANS DOCUMENT CONSULTATION**

Consideration was given to the report of the Council Secretary and Solicitor advising that a decision of Cabinet in relation to the above item (minute 97 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 the alternative decision put forward by the 5 Members concerned on the requisition notice.

A Member sought comments to the views expressed within paragraph 6 of the report considered at Cabinet, particularly in relation to the wider waste management issues, including sites other than White Moss, together with the relationship to the emerging Local Plan for West Lancashire and transport issues relating to transporting waste.

The LDF, Strategy & Environment Manager responded to questions and following an invitation from the Chairman the Portfolio Holder for Planning & Transportation reported that comments were sought prior to the consultation deadline of 19 February 2010.

RESOLVED: That this Committee does not wish to ask for a different decision in relation to this item.

Note

Councillor Pendleton voted against the above resolution and requested that his vote be recorded.

**58. RELEVANT MINUTES OF CABINET**

Consideration was given to the minutes of the meeting of Cabinet held on 16 December 2009 and 19 January 2010.

**59. 16 DECEMBER 2009**

Consideration was given to the minutes of Cabinet held on 16 December 2009.

RESOLVED: That the minutes of Cabinet held on 16 December 2009 be noted.

**60.    19 JANUARY 2010**

Consideration was given to the minutes of the meeting of Cabinet held on 19 January 2010. Members raised questions/comments upon the following minute:-

Min. 94 – Ormskirk Model Boating Lake – highlight link road

RESOLVED:            That the minutes of the meeting of Cabinet held on 19 January 2010 be noted.

**61.    KEY DECISION FORWARD PLANS 1 JANUARY - 30 APRIL AND 1 FEBRUARY - 31 MAY 2010**

In accordance with the mechanism for scrutinising the Key Decision Forward Plan by Members of the Executive Overview and Scrutiny Committee, an item appearing on the above Key Decision Forward Plan, namely A Revitalised Demand-Responsive Transport System for Skelmersdale was placed on the agenda for pre-decision scrutiny by a Member of the Committee.

In particular, the Member sought further information in relation to the production of the business plan and timescales for its submission for funding. He expressed his desire to see this scheme move forward as it was vitally important to the people of Skelmersdale.

At the invitation of the Chairman, the Portfolio Holder reported that the main problem was the acquisition of funding and he expressed his support to the scheme if it was viable.

RESOLVED            That the position be noted.

**62.    WEST LANCASHIRE COMMUNITY TRUST**

Further to minute no. 24(C ) of the meeting of the Committee held on 1 October 2009 the Head of Leisure and Cultural Services provided an update on the progress of the West Lancashire Community Leisure Trust being registered with the charities commission.

RESOLVED:    That the report be noted.

**63.    DRAFT HOUSING REVENUE ACCOUNT ESTIMATES 2010-11**

Consideration was given to the above-mentioned report of the Executive Manager Housing & Property Maintenance Services as circulated and contained on pages 525 – 552 of the Book of Reports and sought agreed comments/views for consideration by Council on 24 February 2010. He further circulated comments received from the Tenants and Residents Forum on the proposals contained within the report.

RESOLVED    That the Draft HRA estimates set out in the attached report be noted and no comments be made.

**64. A NEW REGULATORY FRAMEWORK FOR SOCIAL HOUSING IN ENGLAND - A STATUTORY CONSULTATION**

Consideration was given to the report of the Executive Manager Housing and Property Maintenance Services as circulated and contained on pages 553 – 588 of the Book of Reports in which he outlined a draft response on the consultation paper issued by the Tenant Services Authority on a new regulatory framework for social housing in England. He reported that the Committee's comments would be taken into account, in consultation with the Portfolio Holder, when responding to the Consultation Paper.

RESOLVED: That the comments on the draft response, attached at Appendix B to this report, be agreed.

**65. PUBLIC SECTOR HOUSING CAPITAL INVESTMENT SCHEMES AND PROGRAMMED WORKS PROJECTS - 2010/11 - INCORPORATING DECENT HOMES UPDATE**

Consideration was given to the above-mentioned report of the Executive Manager Housing and Property Maintenance Services as circulated and contained on pages 589 – 602 of the Book of Reports which outlined the proposed Public Sector Housing Capital Investment and Programmed Works Projects for 2010-2011 and included the decision of Cabinet on 19 January 2010 (minute 92 refers) on this item. He sought the Committee's comments upon the proposals and requested that they be forwarded to the Portfolio Holder prior to the meeting of Council on 25 February 2009. He further circulated comments received from the Tenants and Residents Forum on the proposals contained within the report.

Members raised question/comments in relation to the following items:-

- Redirection of sums identified for roofing and kitchens to energy efficiency
- Future of properties at Findon and Firbeck

At the invitation of the Chairman the Portfolio Holder for Finance & Performance Management indicated that the proposals referred to investment for the forthcoming financial year only and not for future years.

RESOLVED: That the proposed Public Sector Housing Capital Investment and Programmed Works Projects for 2010-11, incorporating the Decent Homes Update as set out in the attached report be noted and no comments be made.

**66. REVENUE ESTIMATES 2010 - 2011**

Consideration was given to the report of the Council Secretary and Solicitor as circulated and contained on pages 603 – 622 of the Book of Reports in which she sought agreed comments/views from the Committee on the summary on the current 2010-2011 budget position for consideration by the Portfolio Holder for Finance prior to the meeting of Council on 24 February 2010.

RESOLVED: That the budget position be noted.

**67. MEDIUM TERM CAPITAL PROGRAMME**

Consideration was given to the above-mentioned report of the Council Secretary and Solicitor as circulated and contained on pages 623 - 630 of the Book of Reports in which she sought agreed comments/views of the Committee on options for determining the medium term capital programme for consideration by the Portfolio Holder for Finance prior to the meeting of Council on 24 February 2010.-

RESOLVED: That the report be noted and no comments be made.

**68. INTERIM HOUSING POLICY FOR WEST LANCASHIRE**

Consideration was given to the above-mentioned report of the Executive Manager, Planning, Regeneration and Estates (Interim) as circulated and contained on pages 631 – 652 of the Book of Reports in which she sought agreed comments on, or proposed changes to, the interim policy prior to her publishing the document for public consultation.

RESOLVED: That the report be noted and no comments made.

**69. STATEMENT OF CORPORATE PRIORITIES 2010/11**

Consideration was given to the report of the Assistant Chief Executive as circulated and contained on pages 653 - 660 of the Book of Reports on the draft Corporate Priorities Statement 2010/11 on which she sought the comments of the Committee on Appendix A to the report for consideration by Council on 24 February 2010.

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

- Delivery of leisure/sports development
- Reducing the amount of areas of unwanted communal space
- Defensible space creation

RESOLVED: That the report be noted and no comments made.

**70. CORPORATE SUITE OF PERFORMANCE INDICATORS 2010/11**

Consideration was given to the above-mentioned report of the Assistant Chief Executive as circulated and contained on pages 661 - 682 of the Book of Reports on which she sought the comments of the Committee to be submitted to Council for consideration on 24 February 2010.

RESOLVED: That the report be noted and no comments made.

**71. PROPOSED COLLECTION CHANGES RESULTING FROM THE ALTERNATE WEEKLY COLLECTION PILOT SCHEME ON WINDROWS AND WILLOW HEY, SKELMERSDALE**

Consideration was given to the report of the Executive Manager Street Scene as circulated and contained on pages 683 – 700 of the Book of Reports which outlined the results of the alternate weekly collection wheeled bin pilot scheme at Windrows and Willow Hey, New Church Farm, Skelmersdale. He sought comments from the Committee for consideration at Council on 24 February 2010.

RESOLVED: That the report be noted and no comments made.

**72. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of part 1 of Schedule 12A of the Act and as, in all circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

**73. CALLED IN ITEM – HOME CARE LINK CONTROL CENTRE**

Consideration was given to the report of the Council Secretary and Solicitor advising that a decision of Cabinet in relation to the above item (minute 84 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 the alternative decision put forward by the 5 Members concerned on the requisition notice.

RESOLVED: That this Committee does not wish to ask for a different decision in relation to this item

.....  
CHAIRMAN