

**EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE HELD: 3 FEBRUARY 2011**

Start: 7.30pm

Finish: 11.00pm

**PRESENT:** Grice (Vice-Chairman) (in the Chair)

Councillors:	Mrs Blake	Ms Melling
	Coyle	Moran
	Mrs Evans	R A Pendleton
	Fillis	Mrs Pollock
	Furey	Pope
	Gartside	Pratt
	Gibson	G M Roberts
	Hennessey	Tattersall
	Mawdsley	

In attendance:

Councillors: Ashcroft (Portfolio Holder – Human Resources & Partnership)  
Cotterill (Leader of the Labour Group)  
Forshaw (Portfolio Holder – Planning & Transportation)  
Fowler (Portfolio Holder – Community Services & Health)  
Grant (Leader)  
Mrs Hopley (Portfolio Holder – Housing)  
Westley (Portfolio Holder – Finance & Performance Management)

Officers: Executive Manager Housing and Property Maintenance Services  
(Mr B Livermore)  
Exchequer Services Manager (Mr P Blakey)  
Interim Head of Planning and Policy (Mr I Gill)  
Property Services Manager (Mr P Holland)  
Deputy Treasurer (Mr M Kostrzewski)  
Group Accountant – Housing Finance (Mr D McCulloch)  
Legal Services Manager (Mr T P Broderick)  
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

Also in attendance: Secretary, West Lancashire Pensioners' Forum (Mr R Brookfield)

**52. APOLOGIES**

There are no apologies for absence.

**53. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillors Cropper, Nolan and O'Toole and the appointment of Councillors Mrs Pollock, Gibson and Ms Melling for this meeting only, thereby giving effect to the wishes of the Political Groups.

**54. URGENT BUSINESS**

There were no items of urgent business.

**55. DECLARATIONS OF INTEREST**

Councillor G M Roberts declared a personal interest in agenda item 7 relating to the Petition Review Request relating to Off Peak Rail and Bus Concession for Over 60s/Disabled People stating that he was eligible to receive travel concessions.

**56. DECLARATIONS OF PARTY WHIP**

There were no declarations of a party whip.

**57. MINUTES**

RESOLVED: That the minutes of the meeting held on 2 December 2010 and the Special meeting held on 19 January 2011 be approved as a correct record and signed by the Vice-Chairman.

**58. PETITION REVIEW REQUEST - OFF PEAK RAIL AND BUS CONCESSION FOR OVER 60S/DISABLED PEOPLE**

Consideration was given to the report of the Council Secretary and Solicitor advising that a review of the steps that the Council had taken in response to a petition received in respect of Off Peak Rail and Bus Concession for Over 60s/Disabled People, as required by the Local Democracy, Economic Development and Construction Act 2009 had been received. The report, as circulated and contained on pages 343 to 354 of the Book of Reports, set out the steps taken to respond to the petition and included the Council's response to the Petition's Organiser (Appendix A) and the Petition Organiser's request (Appendix B) for a review of that response.

The Petition's Organiser (The Secretary of West Lancashire Pensioners Forum) attended the meeting and at the invitation of the Chairman addressed the Committee and gave reasons why he did not feel the Council had adequately responded to the petition.

In the ensuing discussion the following comments/questions were noted:

- The consultation process, including methodology and the residents, groups and stakeholders consulted.
- The proposal of establishing a Working Group comprising representation from LCC, Members, Travel Providers and Other affected Groups (including The West Lancashire Pensioners Forum) on Concessionary Travel.
- The approach to concessionary travel within the Borough, particularly in view of the transfer to LCC of the responsibilities for travel concessions and the concessionary travel budget and funding.

The Exchequer Services Manager responded to questions and made reference to the consultation process already undertaken with local residents; stakeholders and the methods used, including an on-line survey in relation to concessionary travel. He also made reference to the undertaking by the Assistant Chief Executive to bring a report to Council on 23 February 2011 on the proposals for discretionary travel within the Borough which would also include the results of the consultation.

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At the invitation of the Chairman the Leader responded to comments relating to bus and off-peak rail concessions, including the reduction and change to funding as a result of the transfer to LCC.

- RESOLVED: A. That the steps taken by the Council in response to the petition are adequate.
- B. That the Assistant Chief Executive be asked to consider the matters raised in the petition and in the review request, as part of the consultation currently being undertaken on discretionary travel within the Borough and the subsequent report to be submitted to Council on 23 February 2011.

(Note: At the request of a Member before the vote was taken, the voting on the above motion was recorded as follows:

FOR THE MOTION: Councillors Mrs Blake, Mrs Evans, Gartside, Grice, Ms Melling, Mrs Pollock, Pope, Pratt, G M Roberts and Tattersall (TEN)

AGAINST THE MOTION: Councillors Coyle, Fillis, Furey, Gibson, Hennessey, Mawdsley, Moran, and R A Pendleton (EIGHT)

Whereupon the Vice-Chairman declared the motion as CARRIED)

### **59. CALLED IN ITEMS**

Consideration was given to the following called in items, as circulated and contained on pages 355 to 444 of the Book of Reports.

### **60. LOCAL DEVELOPMENT FRAMEWORK (LDF) CORE STRATEGY - STRATEGIC DEVELOPMENT OPTIONS**

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 106 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 five Members concerned on the requisition notice.

Those Members considered that the discarding of Option A from the Core Strategy at this stage was inappropriate and that all three Options identified should be included in the Core Strategy preferred options public consultation document.

In the ensuing discussion the following comments/questions were noted.

- Housing Targets and location/number of dwellings set out in the Options.
- Demonstrating full/open consultation by including all 3 Options in the public consultation document.
- Hearing the views of the people of West Lancashire on all Options given the period (15 years) covered by the Core Strategy Document.

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- The merit of the three Options and the benefits to the Borough as a whole, whilst recognising the complexity of presenting all three options.
- Methodology/data collection in relation to the open space strategy, employment study and housing density calculations.
- The traffic problems associated with housing density proposals in Option A, noting that a proposed “by-pass” around Ormskirk was unlikely.

The Interim Head of Planning and Policy responded to questions, referencing details contained in the Acting Executive Manager of Planning’s report. He explained that to include all three Options in the document would overcomplicate it as the document will contain much more than the strategic site issues. He then went on to explain how housing and employment policies would need to be drafted to try and cope with three very different scenarios if they were all to be included. He added that consultation material in relation to the three permutations would be possible.

Members further explored the comments outlined by the Acting Executive Manager Planning at paragraph 4.4 of the call-in report, relating to representations that can be put forward at the consultation phase on any rejected options, including Option A, or any other options that had previously been discarded.

- RESOLVED: A. That in relation to the decision of Cabinet the Committee does not ask for a different decision.
- B. That, when considering the Options document at Cabinet on 15 March 2011 in respect of Preferred Options B and C, Cabinet be requested to indicate that views may also be given, through the consultation process, on the rejected Option A.

(Note: At the request of a Member before the vote was taken, the voting on the above motion was recorded as follows:

FOR THE MOTION: Councillors Mrs Blake, Mrs Evans, Gartside, Grice, Ms Melling, Mrs Pollock, Pope, Pratt, G M Roberts and Tattersall (TEN)

AGAINST THE MOTION: Councillors Coyle, Fillis, Furey, Gibson, Hennessey, Mawdsley, Moran, and R A Pendleton (EIGHT)

Whereupon the Vice-Chairman declared the motion as CARRIED)

### **61. TENANTS' AND RESIDENTS' FORUM CONSTITUTION**

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 114 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 five Members concerned on the requisition notice.

Those Members considered that there was an exclusion of the right of elected members to speak at the Tenants’ and Residents’ Forum (TRF) which appeared to be discriminating against elected Members and that the Constitution of the Forum should be amended to maintain the right of elected members to speak at the Forum’s meetings.

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In the ensuing discussion the following comments/questions were noted.

- The rights of elected Members as representatives and residents of West Lancashire to speak at the TRF.
- The role and opportunities open to elected Members to speak on behalf of their residents, for example on housing issues, particularly as these services are reviewed.
- The TRF steering their own meetings and agendas.
- The approach to speaking used at other meetings.
- The role of Officers in attendance at the TRF.
- The role of the Chairman of the TRF in allowing non-members to speak.

The Executive Manager for Housing and Property Maintenance Services responded to questions, referring to comments made in his report particularly in relation to the request by tenants, whilst reviewing the TRF Constitution, that elected members should not be allowed to speak at meetings, unless asked to do so by the Chairman. He explained that members of the Tenants and Participation Working Group felt that whilst elected members attendance is appreciated, they do have other opportunities through the political structure of meetings to raise issues. He stressed, however, that TRF were not excluding Councillors from the meetings and they were welcomed as observers.

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

### **62. CHANGES TO HOUSING AND COUNCIL TAX BENEFIT**

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 118 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 five Members concerned on the requisition notice.

Those Members considered that the significance of the changes to housing and council tax benefit, in particular the financial impact faced by customers with the reduction in their benefits from 1 April 2011, had not been fully explained in the Assistant Chief Executive's report and asked for a further report on the detailed impact of the changes from that date. A further report, it was suggested, with details of other changes to the housing and council tax benefit could come forward at a later stage.

In the ensuing discussion the following comments/questions were noted.

- Number of people affected by the changes.
- Impact of rent increases, coupled with benefits decreasing to customers.
- The practicalities of providing detailed financial information which may be dependent on individual circumstances.
- Housing benefit cap and Universal Credit (UC)

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The Exchequer Services Manager responded to questions and made reference to the comments of the Assistant Chief Executive as set out in the call-in report. He explained that more detail on future changes under the Universal Credit (UC) would come through the Welfare Bill which had recently gone before Parliament in January. He also referred to the changes to the Local Housing Allowance (LHA) Scheme from April 2011 and the preparations being made for those changes, making reference to the computer software currently being tested.

Members discussed the details of Appendix 1 to the report of the Assistant Chief Executive to Cabinet, which gave information on the LHA Scheme and how it affected existing and new claims and the practicalities of providing a detailed account of the financial impact faced by customers from the changes being made on 1 April 2011.

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

### **63. KEY DECISION FORWARD PLANS - 1 JANUARY 2011 - 31 MAY 2011**

There were no items under this heading.

### **64. RELEVANT MINUTES OF CABINET**

Consideration was given to the minutes of the special meeting of Cabinet held on 15 December 2010 and the Cabinet meeting held on 18 January 2011 as contained on pages 445 to 460.

### **65. MINUTES OF THE SPECIAL CABINET MEETING HELD ON 15 DECEMBER 2010.**

In consideration of the minutes of the Special Cabinet meeting held on 15 December 2010. Members raised questions/comments on:

Minute 95 (Concessionary Travel) – Detail expected in the Assistant Chief Executive report to be brought to Council on 23 February 2011 on the result of the consultation and proposals for discretionary concessionary travel within the Borough from 1 April 2011, together with an equality impact assessment.

Minute 99 (CCTV – Relocation and Operation of Monitoring) - Arrangements regarding the relocation and future operation of the monitoring suite.

RESOLVED: That the Minutes of the Special Cabinet meeting held on 15 December 2010 be noted.

### **66. MINUTES OF THE CABINET MEETING HELD ON 18 JANUARY 2011.**

Consideration was given to the minutes of the meeting of Cabinet held on 18 January 2011. Members raised questions/comments on:

Minute 108 (Local Transport Plan (LTP3) 2011-2021 – A Draft Strategy for Lancashire - Transport infrastructure around Ormskirk and rail infrastructure, particularly rail links to Skelmersdale.

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RESOLVED: That the Minutes of the meeting of Cabinet held on 18 January 2011 be noted.

### **67. REVENUE ESTIMATES**

Consideration was given to the report of the Council Secretary and Solicitor as circulated and contained on pages 461 to 472 and also pages 563 to 574 of the Book of Reports in which she sought agreed comments of the Committee on the summary of the current budget position for consideration by the Portfolio Holder for Finance prior to the meeting of Council on 23 February 2011.

RESOLVED: That the budget position be noted.

### **68. MEDIUM TERM CAPITAL PROGRAMME**

Consideration was given to the above-mentioned report of the Council Secretary and Solicitor as circulated and contained on pages 473 to 484 of the Book of Reports in which she sought agreed comments of the Committee on the options for determining the medium term capital programme for consideration by the Portfolio for Finance prior to the meeting of Council on 23 February 2011.

RESOLVED: That the report be noted.

### **69. PERFORMANCE MANAGEMENT FRAMEWORK 2011/12**

Consideration was given to the above report of the Assistant Chief Executive as circulated and contained on pages 485 to 500 of the Book of Reports which sought comments on the Suite of Performance Indicators (PI's) 2011/12.

Members discussed the PIs and reference was made to information relating to telephone response performance.

The Access to Services and Performance Manager responded to questions and explained the process for the collection of data in relation to telephone response times associated with direct dial and calls taken through the Customer Contact Centre. He also made reference to a proposed voice mail facility on direct dial telephone numbers/extensions to further assist the management of incoming calls.

RESOLVED: That the Suite of Performance Indicators 2011/12 be noted.

### **70. DRAFT BUSINESS PLAN 2011-15**

Consideration was given to the above report of the Assistant Chief Executive as circulated and contained on pages 501 to 522 of the Book of Reports which sought agreed comments of the Committee on the Draft Business Plan 2011-15 and the Business Plan Development and Consultation Arrangements prior to the meeting of Council on 23 February 2011.

RESOLVED: That the draft Business Plan and the Business Plan Development and Consultation Arrangements, attached as appendices to the report be noted.

**71. HOUSING REVENUE ACCOUNT (HRA) BUDGET FOR 2011-12**

Consideration was given to the above mentioned report of the Executive Manager Housing and Property Maintenance Services as circulated and contained on pages 523 to 548 of the Book of Reports in which he sought agreed comments of the Committee on the Draft Housing Revenue Account (HRA) budget for 2011 for consideration by Council on 23 February 2011.

RESOLVED: That the proposed Draft Housing Revenue Account (HRA) budget for 2011-2012 be noted.

**72. PUBLIC SECTOR HOUSING CAPITAL INVESTMENT SCHEMES AND PROGRAMMED WORKS PROJECTS - 2011/12 - 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 549 to 561 of the Book of Reports in which he sought agreed comments of the Committee on the proposed Public Sector Housing Capital Investment and Programmed Works Projects for 2011/12, incorporating the Decent Homes update for consideration by Council on 23 February 2011.

RESOLVED: That the proposed Draft Housing Revenue Account (HRA) budget for 2011-2012 be noted.

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Chairman