

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

HELD: 30 JUNE 2011

Start: 7.30pm

Finish: 9.35pm

PRESENT: Grice (Chairman)

Councillors: Baldock Hennessy
Mrs Blake Kay
Blane Ms Melling
Coyle Nolan
Cropper O'Toole
Fillis R A Pendleton
Gagen Pope
Gibson Sudworth
Greenall

Officers: Director of Transformation (Ms K Webber)
Assistant Director Housing and Property Maintenance
(Mr B Livermore)
Deputy Treasurer (Mr M Kostrzewski)
Acting Borough Solicitor (Mr T P Broderick)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance:

Councillors: Furey (Leader of the Labour Group)
Hodson

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

1. APOLOGIES

There were no apologies for absence.

2. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillors G Jones and Moran and the appointment of Councillors Ms Melling and R A Pendleton for this meeting only, thereby giving effect to the wishes of the Political Groups.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

Councillor Greenall declared a personal and prejudicial interest in item 10(a) (Special Meeting of Cabinet held on 13 April 2011) as, at the time of the decisions, he was a Member of Cabinet and had been present when the decisions were taken. He left the Chamber during consideration of this item.

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Councillor Mrs Blake declared a personal interest in item 7 relating to the Petition Review Request – Designation of West Lancashire Pensioners' Forum as a Key Stakeholder and Creation of a Public Forum, as the Council's Older People's Champion and also as a Member of the Older People's Partnership Board.

Councillor Nolan declared a personal and prejudicial in item 7 relating to the Petition Review Request as a member of the West Lancashire Pensioners' Forum and left the Chamber during consideration of this item.

Councillor Hennessy declared a personal interest during consideration of item 7 relating to the Petition Review Request when the discussion referred to various groups involved in the Council's consultation processes referencing her former membership of the Older People's Partnership.

Councillor Furey declared a personal interest in item 11 Implementing Self-Finance Council Housing as it related to Council owned homes stating that he was a tenant. Also in relation to item 10(b) Minutes of the Cabinet Meeting held on 14 June 2011 when considering Minute 29 relating to Partnership Proposals with Lancashire County Council (LCC)/One Connect Ltd. Councillor Furey declared a personal interest because of his employment and noted that if the discussion moved onto financial matters this could become a prejudicial interest.

Councillors Cropper and O'Toole declared personal interests as Members of Lancashire County Council during the discussion on item 10(b) Minutes of the Cabinet 14 June 2011 - Minute 29 relating to the Partnership Proposals with LCC/One Connect Ltd.

5. DECLARATIONS OF PARTY WHIP

There were no declarations of a party whip.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 31 March 2011 be approved as a correct record and signed by the Chairman.

7. PETITION REVIEW REQUEST - DESIGNATION OF WEST LANCASHIRE PENSIONERS' FORUM AS A KEY STAKEHOLDER AND CREATION OF A PUBLIC FORUM

Consideration was given to the report of the Director of People and Places advising that a review had been requested of the steps that the Council had taken in response to a petition received on behalf of the West Lancashire Pensioners' Forum (WLPF). The report, as circulated and contained on pages 7 to 20 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 WLPF, attended the meeting and at the invitation of the Chairman addressed the Committee and in his address gave reasons why he did not feel the Council had adequately responded to the petition.

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Members discussed the points the Petition's Organiser had raised in his address and in the petition documentation, along with the comments of the Director of Transformation, as set down in the Director of People and Places report. This included reference to the WPLF role and the request put forward within the petition that a public Forum be formally established with a view to meeting at the Council offices, four times a year, as a representative older people's group to provide a formal platform of consultation for that group.

Members sought additional information of the Petitioner, who consented to take questions and responded to those put to him, including those relating to the original petition, the WLPF membership and its representation throughout the Borough.

The Director of Transformation was in attendance and at the invitation of the Chairman also responded to comments.

Members additionally made reference to the consultation mechanisms already established by the Council and the various stakeholder groups involved in its consultation processes.

In reaching its decision the Committee also took into consideration the options that were available to them as set down at paragraph 7.3 of the report.

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

(Note: Councillor Nolan left the Chamber during consideration of this item. The Director of Transformation also left the meeting after consideration of this item.)

8. CALLED-IN ITEMS

There were no items under this heading.

9. KEY DECISION FORWARD PLANS - 1 MAY 2011 - 30 JUNE 2011

There were no items under this heading.

10. RELEVANT MINUTES OF CABINET

Consideration was given to the following Minutes of Cabinet.

11. MINUTES OF THE SPECIAL CABINET MEETING HELD ON 13 APRIL 2011

Consideration was given to the minutes of the special meeting of Cabinet held on 13 April 2011. A member raised questions/comments in relation to:

Minute 150 (Proper Officer Provisions and Scheme of Delegation). Expected timing of report from the Business Plan Working Group to Cabinet. It was reported that a report relating to the work of this Group was scheduled to be considered by Council at its meeting on 20 July 2011.

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RESOLVED: That the Minutes of the special meeting of Cabinet held on 13 April 2011 be noted.

(Note: Councillor Greenall left the Chamber during consideration of this item).

12. MINUTES OF CABINET MEETING HELD ON 14 JUNE 2011

Consideration was given to the minutes of the meeting of Cabinet held on 14 June 2011. Members raised questions/comments in relation to:

Minute 6 (Queen Elizabeth II Fields). Valuation of Council owned fields that are proposed to be included in the Queen Elizabeth II Fields Challenge Programme.

Minute 7 (Car Parking Arrangements – 52 Derby Street). – Parking arrangements generally in Ormskirk and link to the proposed Traffic Management Strategy for Ormskirk .

Minute 8 (Use of Section 106 Monies) – Projects identified for use of the commuted sums.

Minute 10 (Community Infrastructure Levy (CIL) and Proposed Amendments to Public Open Space Contributions) – Timetable in relation to preparation of the Draft Charging Schedule. The aims and benefits of the CIL system and the skill base of individuals involved with the self-build schemes.

Minute 33 (Local Enterprise Partnership (LEP) – Outcome of discussion in relation to Regional LEP Fund.

13. 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 involved likely disclosure of exempt information as defined in paragraph(s) 1, 2, 3 and 7 of Part 1 of the Schedule 12 A of that Act, as set out on the agenda of the Cabinet meeting held on 14 June 2011, 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.

Minute 22 (Housing Repairs and Heating Contracts) – Tendering processes.

Minute 26 (CCTV Monitoring Suite Location) – Future location of the Council's CCTV monitoring suite.

Minute 28 (1-11 & 29-39 Firbeck) - Proposals in relation to these properties.

RESOLVED: That the Minutes of the meeting of Cabinet held on 14 June 2011 be noted.

14. OPEN TO THE PUBLIC

RESOLVED: That following consideration of the above item the public be entitled to return to the meeting for the remaining item of business.

15. IMPLEMENTING SELF-FINANCE COUNCIL HOUSING

Consideration was given to the report of the Director of Transformation as contained on pages 41 to 66 of the Book of Reports which sought comments from the Committee in relation to the Government's intention to move to a system of self-financing for Council Housing and gave details of the timetable of actions necessary to meet the requirements of self-financing of Council Housing, intended to be part of the Localism Act if enacted.

Members discussed the issues raised in the report and appendices and made comments relating to:

- The financial implications to the Council under the self-financing proposals related to debt settlement.
- The high level of risk related to the GRA.
- The contents of the responses to Council Housing Finance at the Department of Communities and Local Government (DCLG) and the CIPFA consultation.
- The extent of the financial issues currently faced by the Council's housing tenants' and the impact of other related proposed changes.

RESOLVED: A. That the report be noted.

B. That the following comments be reported to Cabinet:

- (a) That Cabinet considers the implications of recent cuts to Housing Benefit and how this will impact on rental income.
- (b) That Cabinet fully examines the introduction of "Universal Credit" and its impact on the self-financing scheme.
- (c) That Cabinet notes that "Rent Rebate" of £13.5m was paid direct onto tenant's rent accounts during 2010/11. That "Universal Credit" proposes to end direct payments onto rent accounts, as housing costs will be paid direct to tenants.
- (d) That Cabinet notes that large numbers of council tenants are in receipt of rent rebate. As at 25/03/2011, 4379 tenants claimed an average of £64.00 per week each.

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Chairman