

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

HELD: 1 DECEMBER 2011

Start: 7.30pm

End: 9.30pm

PRESENT: Grice (Chairman)

Councillors: Baldock Hodson
Mrs Blake Kay
Blane Moran
Cropper Nolan
Delaney O'Toole
Fillis R A Pendleton
Gibson Pratt
Greenall Sudworth
Griffiths

Officers: Assistant Director Housing & Regeneration (Mr B Livermore)
Assistant Director Community Services (Mr D Tilleray)
Borough Planner (Mr J Harrison)
Transformation Manager (Mr S Walsh)
Deputy Borough Treasurer (Mr M Kostrzewski)
Borough Solicitor (Mr T P Broderick)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance:

Councillors: Grant (Leader of the Council)
Fowler (Portfolio Holder – Health and Leisure)
Forshaw (Portfolio Holder – Planning and Technical Services)
Westley (Portfolio Holder – Resources and Transformation)

41. APOLOGIES

There were no apologies for absence.

42. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of Councillors Hennessy, Gagen, G Jones and Pope and the appointment of Councillors Delaney, Hodson, Griffiths and Pratt for this meeting only, thereby giving effect to the wishes of the Political Group.

43. URGENT BUSINESS

There were no items of urgent business. However, in relation to items 13 (Preferred Options Local Plan) and 14 (Core Strategy Preferred Options – Consultation Responses) the Chairman proposed that these items not be considered at this meeting, but be deferred to a Special meeting of the Committee to be held at 6.00pm on Thursday 8 December 2011.

RESOLVED: That a Special meeting of the Committee be held on Thursday 8 December 2011 at 6.00pm to consider the items 'Preferred Options Local Plan' and 'Core Strategy Preferred Options – Consultation Responses'.

44. DECLARATIONS OF INTEREST

During consideration of the Minutes of Cabinet held on 15 November 2011 Councillor Grice declared a personal and prejudicial interest in Minute 87 relating to Beacon Golf Course as a Director of West Lancashire Community Leisure Limited and left the meeting during consideration of this item.

45. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

46. MINUTES

RESOLVED: That the minutes of the meeting held on 29 September 2011 be approved as a correct record and signed by the Chairman.

47. CALLED IN ITEMS - NOT VALID

Consideration was given to the following two items, as circulated and contained on pages 599 to 605 of the Book of Reports.

48. ORGANISATIONAL RE-ENGINEERING UPDATE

Consideration was given to the report of the Borough Solicitor which advised of a Call In request received but not validated in respect of Minute No.76 of the meeting of Cabinet held on 15 November 2011 'Organisational Re-Engineering Update'.

The Chairman explained the reasons the 'Call In' was not validated.

There was no further discussion on this item.

RESOLVED: That the report be noted.

49. MANAGEMENT PLANS - BEACON PARK, CORONATION PARK AND RICHMOND PARK

Consideration was given to the report of the Borough Solicitor which advised of a Call In request received but not validated in respect of Minute No.78 of the meeting of Cabinet held on 15 November 2011 'Management Plans – Beacon Park, Coronation Park and Richmond Park.'

The Chairman explained the reasons the 'Call In' was not validated.

In the ensuing discussion Members raised comments/questions in respect of the following:

- The current situation of Tawd Valley Park, including maintenance, the changes affected by "Skelmersdale Vision" and redevelopment/regeneration of Skelmersdale Town Centre and the future plans for the Park.

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- Enhancements to other parks within the Borough and the provision of resources associated with the maintenance of the Borough's parks.
- Use of 106 monies for improvements to open spaces/parks in other areas of the Borough.

RESOLVED: That the report be noted.

(Note: The Chairman varied the order of business so that the item 17 Health and Safety Annual Report 2011, held over from the previous meeting, was considered next. The minutes follows the same order as set down in the agenda.)

50. KEY DECISION FORWARD PLANS - 1 NOVEMBER 2011 - 31 MARCH 2012

There were no items under this heading.

51. RELEVANT MINUTES OF CABINET

Consideration was given to the minutes of the meeting of Cabinet held on 15 November 2011. Members raised comments/questions in relation to:

Minute 67 (Article 4 Direction – Houses in Multiple Occupation (HMOS) Ormskirk, Aughton and Westhead – Noted the approval of this Direction. Confirmation of the scope of HMSOs.

Minute 71 (Installation of Solar Photovoltaics on Council Owned Buildings). A member sought clarification relating to the proposal that, following a presentation on “solar panels” at a previous meeting of the Corporate Overview and Scrutiny Committee that a report, scheduled to be considered by Cabinet at its meeting on 15 November 2011, on the potential for community-wide benefit from ‘feed-in tariff’ energy efficiency measures would also include consideration of the options to achieve benefits also for tenants and residents in Wards falling within the scope of that report.

Minute 72 (Peer Review – Landlord Services) – The role of elected Members in the process.

Minute 73 (Housing Service Improvement Plan) – Processes relating to presentation of the information.

Minute 86 (Land Disposal – For Affordable Housing) – The various options available relating to land disposal for affordable housing.

RESOLVED: A That the Minutes of the meeting of Cabinet held on 15 November 2011 be noted.

- B. That, in relation to Minute 71 of the Cabinet (Installation of Solar Photovoltaics on Council Owned Buildings) the relevant Portfolio Holder and/or Cabinet be requested to:

- (i) require that the Assistant Director Housing and Regeneration report to the first available Cabinet on the options available to secure the best possible outcome for tenants and residents of Tanhouse Ward and all other wards falling within the scope of the report, such report to include provision for the resource and technical implications of the project.
- (ii) authorise the Assistant Director Housing and Regeneration to consult with relevant ward councillors, SSCF and other potential funders on the proposed project.

(Note: The Chairman left the meeting, having declared a personal and prejudicial interest as he is a Director of West Lancashire Community Leisure Limited, during consideration of Minute 87 relating to Beacon Golf Club whereupon the Vice-Chairman (Councillor Greenall) took the Chair.)

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 involved the likely disclosure of exempt information as defined in paragraph(s) 3 (Financial/Business Matters) and 5 (Legal Matters) of Part 1 of Schedule 12A of 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.

Minutes 87 (Beacon Golf Course) – options relating to the long term operation of the Golf Course and other associated issues.

RESOLVED: That the Minute of the meeting of Cabinet held on 15 November 2011 be noted.

(Note: Following consideration of this item members of the public were invited back into the meeting. The Chairman also returned to the meeting and took the chair for the remaining items of business.)

52. REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2011/2012

Consideration was given to the report of the Borough Solicitor as circulated and contained on pages 407 to 425, which advised on the decision of Cabinet held on 15 November 2011 in respect of Land Disposal for Affordable Housing and incorporated the revised Appendix A and B to the attached report of the Borough Treasurer. The Borough Treasurer's detailed the revised Capital Programme 2011/2012 and provided an overview on the progress against it at the mid-year point. The Deputy Treasurer advised of a further minor change to Appendix B, circulated at the meeting, as contained on page 607.

During the ensuing discussion Members raised questions/queries relating to:

- The effect on capital expenditure as a result of the economic downturn.
- The Stock Condition Survey 3 year programme.

RESOLVED: That the Report detailing the Revised Capital Programme and progress against it at the mid-year point set out in Appendix 1 and the 'revised Appendix A', attached at Appendix 2, along with the tabled revised Appendix B, be noted.

(Note: Councillors Westley and Fowler left the Chamber following consideration of the this item.)

53. REVENUE BUDGET MID YEAR REVIEW

Consideration was given to the report of the Borough Treasurer which provided a projection on the General and Housing Revenue Accounts to the end of the financial year.

Members raised questions/comments in relation to:

- Variance in Service budget targets – Planning, Local Searches and Car Parks.
- HRA subsidy rebate (£288,000) – capital schemes.
- Savings related to staffing.

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

(Note: Councillor Grant left the meeting at the conclusion of this item.)

54. MOVING FROM A LOCAL DEVELOPMENT FRAMEWORK (LDF) TO A LOCAL PLAN

Consideration was given to the report of the Borough Planner which proposed that the Borough's local planning policy should be prepared as a single Local Plan document to reflect the proposed policy in the draft National Planning Policy Framework (NPPF) and that all work thus far undertaken on the preparation of policy designed to sit within a Local Development Framework (LDF) should be converted for inclusion within such a single Local Plan document.

Members noted that the report had also been considered by the Planning Committee at its meeting on 10 November 2011 and Cabinet on 15 November 2011.

RESOLVED: That the report and the decision of Cabinet on 15 November 2011 be endorsed.

55. PREFERRED OPTION LOCAL PLAN

This item was not considered at the meeting held on 1 December 2011 but was deferred for consideration at a Special meeting of the Committee to be held on 8 December 2011.

(Note: The appendices relating to this item are located in the Cabinet Book of Reports after page 1082.)

56. CORE STRATEGY PREFERRED OPTIONS (CSPO) - CONSULTATION RESPONSES

This item was not considered at the meeting held on 1 December 2011 but was deferred for consideration at a Special meeting of the Committee to be held on 8 December 2011.

(Note: The appendices relating to this item are located in the Cabinet Book of Reports after page 1066.)

57. DRAFT NATIONAL PLANNING POLICY FRAMEWORK

Consideration was given to the report of the Borough Solicitor that advised on the consultation response sent to the Department of Communities and Local Government (DCLG) in respect of the Draft National Planning Policy. He reported that at the request of this Committee, at its meeting held on 29 September, 2011, consideration of this item had been deferred in order that an all Member Briefing take place on the subject matter. The briefing subsequently took place on 5 October 2011. Attached as Appendices to the report were the Borough Planner's report (Appendix 1); the Minutes of Cabinet (Appendix 2) and the Planning Committee (Appendix 4); and a response letter to the consultation (Appendix 5).

It was further reported that the deadline for the consultation was 17 October 2011 and in order for the consultation deadline to be met the Borough Planner had submitted the response to the consultation on 10 October 2011.

Members raised questions and comments on the response, including the paragraph within the response on Flood Risk, particularly in light of a recent announcement by the Environment Agency relating to the Hoscar Pumping Station and the Crossens pumped drainage catchment area.

The Borough Planner, who was in attendance, explained the general nature of the Flood Risk response that sought the provision of greater guidance, within the emerging National Planning Policy, in relation to significant risk in the Borough of localised flooding and the lack of capacity in combined sewers.

The Portfolio Holder (Planning and Technical Services) attended the meeting and, at the invitation of the Chairman, also responded to questions related to this item.

RESOLVED: That the report at Appendix 1, the Minutes of the Cabinet and Planning Committee at Appendix 2 and 4 and the response letter to the consultation, attached at Appendix 5, be noted.

(Note: Councillor Forshaw left the meeting at the conclusion of this item.)

58. STREAMLINING COUNCIL HOUSE ASSET MANAGEMENT - DISPOSALS AND USE OF RECEIPTS CLG CONSULTATION

Consideration was given to the report of the Borough Solicitor, which advised on the item held over from the previous meeting of the Committee in relation to a consultation paper from the DCLG in respect of streamlining council house asset management. In his report, attached at Appendix 1, the Assistant Director Housing and Regeneration,

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advised Members of the debate that had been taking place between Officers and the DCLG and included the final response submitted to meet the deadline of 17 November 2011.

The recent announcement by Government in relation to potential changes affecting social housing sales was raised. The Assistant Director Housing and Regeneration advised that once more details emerged these would be assessed.

RESOLVED: That the report of the Assistant Director Housing and Regeneration and final response to the consultation, and the decision of Cabinet, be noted.

59. HEALTH AND SAFETY ANNUAL REPORT 2011

Consideration was given to the report of the Assistant Director Community Services, held over from the previous meeting of the Committee held on 29 September 2011, as contained on pages 553 to 598 of the Book of Reports which updated Members on the progress made in relation to the Health and Safety Management of the Council.

RESOLVED: That the Annual Health and Safety Report 2011 be noted.

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Chairman