

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

HELD: 2 FEBRUARY 2012

Start: 7.30pm

End: 9.55pm

PRESENT: Grice (Chairman)

Councillors: Baldock Hennessy
Mrs Blake Kay
Blane Ms Melling
Cropper Moran
Fillis Nolan
Gagen O'Toole
Gibson R A Pendleton
Greenall Mrs Pollock
Griffiths

Officers: Assistant Director Housing & Regeneration (Mr B Livermore)
Technical Services Manager (Mr C Brady)
Partnership and Performance Manager (Ms C McNamara)
Homelessness & Private Sector Housing Manager (Ms L Gee)
Deputy Borough Treasurer (Mr M Kostrzewski)
Planning Officer (Mr D Carr)
Group Accountant – Housing Finance (Mr D McCulloch)
Borough Solicitor (Mr T P Broderick)
Principal Overview & Scrutiny Officer (Mrs C A Jackson)

In attendance:

Councillors: Owens (Portfolio Holder – Housing (Finance), Regeneration and Estates)
Fowler (Portfolio Holder – Health and Leisure)
Westley (Portfolio Holder – Resources and Transformation)

67. APOLOGIES

There were no apologies for absence.

68. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of Councillors G Jones, Pope and Sudworth and the appointment of Councillors Griffiths, Ms Melling and Mrs Pollock for this meeting only, thereby giving effect to the wishes of the Political Group.

69. URGENT BUSINESS

There were no items of urgent business.

70. DECLARATIONS OF INTEREST

1. Councillor Grice declared a personal interest in item 11 (Business Plan 2012/13 Refresh) in matters within the Plan which referred to the Leisure Trust Board in view of his appointment to that Board.

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2. Councillor Griffiths declared a personal and prejudicial interest in item 10 (Selective HMO Licensing) as he is a landlord and left the Chamber during consideration of this item.

71. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

72. MINUTES

RESOLVED: That the minutes of the meeting held on 1 December 2011 and the Special meeting held on 8 December 2011 be approved as a correct record and signed by the Chairman.

73. KEY DECISION FORWARD PLANS - 1 JANUARY 2012 TO 31 MAY 2012

There were no items under this heading.

74. RELEVANT MINUTES OF CABINET

Consideration was given to the following Minutes of Cabinet.

75. MINUTES OF THE SPECIAL MEETING OF CABINET HELD ON 14 DECEMBER 2011

Consideration was given to the minutes of the special meeting of Cabinet held on 14 December 2011.

RESOLVED: That the Minutes of the Special Meeting of Cabinet held on 14 December 2011 be noted.

76. MINUTES OF THE CABINET MEETING HELD ON 17 JANUARY 2012

Consideration was given to the minutes of the meeting of Cabinet held on 17 January 2012. Members raised questions/comments in relation to:

Minute 99 (Installation of Solar Photovoltaics on Council Owned Buildings – Comments referred to Cabinet from Executive Overview and Scrutiny Committee). Update on current position relating to the initiative.

Minute 104 (Skelmersdale & Up Holland Responsive Transport System). Detail in relation to the pilot scheme, use of funds and potential pitfalls of the operation of the scheme.

Minute 113 (Estate Management Policy). Consultation processes with tenants/Members prior to implementation.

Minute 115 (Skelmersdale Town Centre Regeneration – Progress in 2010 and 2011). Delegation relating to matters necessary to facilitate the development and the reporting processes.

RESOLVED: That the Minutes of the meeting of Cabinet held on 17 January 2012 be noted.

77. CALLED IN ITEMS

Consideration was given to the following two items, as circulated and contained on pages 643 to 668 of the Book of Reports. Consideration of the Call-in Item relating to Strategic Asset Management Project was taken as the last item of business.

78. CALL-IN ITEM ORMSKIRK MOTOR FESTIVAL

Consideration was given to the report of the Borough Solicitor which advised 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 a different decision put forward by the five Members concerned on the requisition notice.

On behalf of the Members concerned it was explained why funding of the Ormskirk Motor Festival should be limited to £10,000 and the other £7,500 identified in the report, of the Assistant Director Community Services, be provided for a West Lancashire Show.

In the ensuing discussion the following comments/questions were noted in relation to:

- The costs associated with the running of a MotorFest.
- Its potential to attract commercial sponsorship.
- Other initiatives, across the Borough, that could be undertaken to promote/assist small businesses.
- The success of the inaugural event.

The Technical Services Manager responded to questions, referencing details contained in the Assistant Director of Community Services report. He explained, the costs associated with the running of the event; the potential within the next event to attract sponsors; the part Aintree Motor Club had played in the inaugural event and the publicity, both locally and nationally, that the previous event had generated.

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

79. CALL-IN ITEM SKELMERSDALE & UPHOLLAND DEMAND RESPONSIVE TRANSPORT SYSTEM

As this call-in item had been withdrawn prior to the meeting, there was no further discussion on this item.

80. SELECTIVE HMO LICENSING - ITEM REFERRED BY CABINET

Consideration was given to the report of the Borough Solicitor advising of a decision by Cabinet at its meeting on 17 January 2011 to refer the above item to this Committee for consideration and that any agreed comments be referred to Cabinet for consideration on 13 March 2012.

The Homelessness and Private Sector Housing Manager was in attendance and at the invitation of the Chairman explained the purpose of the accreditation scheme which aimed to raise standards in the private rented sector. She stated that a launch event with landlords is planned for 28 February 2012.

In discussion comments questions were raised in respect of the following:

- The application of the proposed selective licensing scheme.
- The optional rather than mandatory registration into the scheme.
- The mechanisms currently available to tenants where accommodation is sub-standard.
- The availability of information packs for private sector tenants.
- Publicity for and promotion of the scheme and accredited landlords.
- Operation of an accreditation scheme.

RESOLVED: That the report of Assistant Director Community Service on Selective HMO Licensing be noted.

(Note:

1. Councillor Griffiths, having declared a personal and prejudicial interest, left the Chamber during discussion of this item.
2. Councillor Westley (Portfolio Holder – Resources and Transformation) left the Chamber during consideration of this item.
3. Councillor Baldock left the meeting at the end of this item.)

81. BUSINESS PLAN 2012/13 REFRESH

Consideration was given to the report of the Managing Directors as circulated and contained on pages 677 to 710 of the Book of Reports which provided details of the Business Plan that had been refreshed to reflect refinements in Members' aspirations and priorities.

The Partnership and Performance Manager was in attendance and at the invitation of the Chairman responded to questions related to the use of visual aids, within the document, to explain the how the Council's income was made up.

RESOLVED: That the Business Plan 2012/13 Refresh at Appendix A to the report be noted.

82. DRAFT REVENUE BUDGET 2012-2013

Consideration was given to the report of the Borough Treasurer as set out at pages 711 to 718 of the Book of Reports which provided a summary of the current budget position.

The Deputy Borough Treasurer was in attendance and at the invitation of the Chairman gave an overview of the current budget position and responded to questions.

Members raised questions/comments in relation to:

- The significant reduction in funding for West Lancashire in comparison to the other Lancashire Districts.
- The Budget Position for 2012-13
- Proposals within the Localism Bill relating to the impact of referendums.

RESOLVED: That the budget position be noted.

83. MEDIUM TERM CAPITAL PROGRAMME

Consideration was given to the report of the Borough Treasurer contained on pages 719 to 726 of the Book of Reports which set out a number of options for determining the medium term capital programme in the context of the current difficult financial environment.

The Deputy Borough Treasurer was in attendance and at the invitation of the Chairman gave an overview of the Medium Term Capital Programme and responded to questions.

Members raised questions/comments in relation to:

- Alternative sources of funding.
- Sale of assets.

RESOLVED: That the report be noted.

84. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN

Consideration was given to the report of the Assistant Director Housing and Regeneration as contained on pages 727 to 746 of the Book of Reports which advised of the current position on business planning for the Housing Revenue Account (HRA) including available options.

It was noted that a presentation to Members on the Plan had taken place on 1 February 2012.

Members raised questions/comments in relation to:

- Changes in the Government's formula rent from April 2012.
- Generation of income to assist with improvements to homes and service delivery.
- The proposed increase in services charges.
- The proposal relating to target rent as part of the Business planning process.

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- Methodology to be used in relation to consultation with tenants linked with the standards associated with improvement needs.
- The proposal that in year 1 the rent retained by the Council would be invested in the housing stock.
- Proposals relating to the longer term business plan from year 2.

The Assistant Director Housing and Regeneration responded to questions referring to details in his report highlighting particularly the need for flexibility to allow for known economic/social changes to be taken into account, particularly those anticipated changes to the welfare benefit system.

The Portfolio Holder Housing (Finance), Regeneration and Estates was in attendance and at the invitation of the Chairman the Portfolio Holder for Housing (Finance) commented on the Business Plan and its detail which was in the early stages of development.

In response to a Member's question regarding why the Employee costs within the draft 2012-13 HRA Budget within Property Services had increased from 2011-12, the Assistant Director Housing and Regeneration undertook to provide a response that would be circulated to all Members of the Committee.

RESOLVED: That the position be noted.

85. REINVIGORATING THE RIGHT TO BUY AND ONE FOR ONE REPLACEMENT - CONSULTATION

Consideration was given to the report of the Assistant Director Housing and Regeneration that sought views on the proposed response to the above-mentioned consultation relating to the Government's wish to make amendments to the provisions of the Right to Buy legislation.

Members noted that the consultation document had also been considered by the Landlord Services Committee (Cabinet Working Group).

RESOLVED: That the proposed response to the consultation paper approved by Cabinet on 17 January 2012 be noted.

86. 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 (Business/Financial Affairs) of Part 1 of the 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.

87. CALL-IN - (PART II) STRATEGIC ASSET MANAGEMENT PROJECT

Consideration was given to the report of the Borough Solicitor which advised that a decision of Cabinet in relation to the above item (Minute 122 refers) had received a call in requisition signed by five members of the Committee. The report set out the reason for the call in, together with a different decision put forward by the five Members concerned on the requisition note. The report of the Assistant Director Housing and Regeneration provided an update on the progress of the Project and advised on the outcomes relating to the Birch Green and Wrightington Wards.

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

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Chairman