

## **EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

**HELD: 17 JULY 2014**

Start: 7.30pm

Finish: 8.40pm

**PRESENT:** Councillor O'Toole (Chairman for the meeting)

Councillors: Mrs Atherley Kay  
Ashcroft McKay  
S Bailey Moran  
Delaney Oliver  
Devine Owens  
Furey Pendleton  
J Hodson Pope  
Jones

Officers: Assistant Director Housing and Regeneration (Mr B Livermore)  
Assistant Strategic Planning & Implementation Manager  
(Ms G Whitfield)  
Assistant Solicitor (Mr M Hynes)  
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Councillor D Westley (Leader of the Council)

### **1. APPOINTMENT OF CHAIRMAN**

In the absence of the Chairman appointed by the Council and the Vice Chairman vacancy, in accordance with Rule 6(c) of the Overview and Scrutiny Committee Procedure Rule, a Chairman for the meeting, chosen from those members present at the meeting, was appointed.

Two nominations were put forward, Councillors O'Toole and Pendleton. Following the vote it was:

RESOLVED: That Councillor O'Toole be appointed as Chairman for the meeting.

(Note: Councillor Moran was not present during consideration of this item.)

### **2. APOLOGIES**

Apologies for late arrival were submitted by Councillor Moran.

### **3. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 2, Members noted the termination of membership of Councillors Bell, Blane, Gagen, Savage and Wilkie and the appointment of Councillors Devine, Pope, McKay, Hodson and Delaney, for this meeting only, thereby giving effect to the wishes of the Political Groups.

### **4. URGENT BUSINESS**

There were no items of urgent business.

**5.      DECLARATIONS OF INTEREST**

There were no declarations of interest.

**6.      DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

**7.      MINUTES**

RESOLVED:    That the minutes of the meeting held on 3 April 2014 be received as a correct record and signed by the Chairman of the meeting.

**8.      RELEVANT MINUTES OF CABINET**

Consideration was given to the minutes of the Cabinet held on 16 April and 1 July 2014 respectively.

**9.      CABINET MINUTES - 16 APRIL 2014**

Questions and comments were received in respect of the following items:

Minute 106 (Acquisition of Property on Firbeck Estate, Skelmersdale) – proposed improvements.

RESOLVED: That the minutes of the Cabinet held on 16 April 2014 be noted.

**10.     CABINET MINUTES - 1 JULY 2014**

Questions and comments were raised in respect of the following items:

Minute 9 (Use of 106 Monies in Ormskirk) – consultation process (public / Ward Members); future allocation of monies.

Minute 13 (Adoption of Development Briefs for Housing Sites at Grove Farm, Ormskirk and Firwood Road, Lathom/Skelmersdale) – clarification of process related to the inclusion of the agreed comments of the Planning Committee.

Minute 15 (Council Land at Whitemoss, Skelmersdale) – steps being taken in relation to this matter.

The Leader of the Council (Cllr Westley), who was in attendance, with the permission of the Chairman of the meeting, spoke on the item 'Use of 106 Monies in Ormskirk'.

RESOLVED:    That the minutes of the Cabinet meeting held on 1 July 2014 be noted.

**11.     CALL IN ITEMS**

There were no items under this heading.

**12. ADOPTION OF DEVELOPMENT BRIEFS FOR HOUSING SITES AT GROVE FARM ORMSKIRK AND FIRSWOOD ROAD LATHOM / SKELMERSDALE**

Consideration was given to the report of the Assistant Director Planning, previously considered by the Planning Committee and Cabinet, that sought comments on the final Development Briefs for the allocated housing sites at Grove Farm, Ormskirk and Firswood Road, Lathom / Skelmersdale.

Members raised comments and questions in relation to:

- The detail and emphasis set down in each Development Brief.
- Consultation process.
- Firswood Road – access/egress proposals, structure of the road (bends; hump-back bridge); consultation with, views of LCC (as the Highway Authority); data relating to traffic flow and use; potential number of vehicles per household.

The Assistant Strategic Planning and Implementation Manager attended the meeting and responded to questions.

**RESOLVED:** That the agreed comments of the Executive Overview and Scrutiny, as set out below, be forwarded to the Assistant Director of Planning.

1. The Committee endorse the agreed comments of the Planning Committee, as set down at Appendix F, of the report, in relation to:

Grove Farm

- (i) That careful consideration be given to buffer zones to protect the amenity and safety of existing properties between new development and Linear Park boundaries.
- (ii) That the affordable housing/elderly unit percentages and crossover split be adhered to as closely as possible, as laid out at Appendix 1 of the Report on page 188, having taken the viability test into account.
- (iii) That the Linear Park be considered as a public asset which will provide a major contribution to public amenity and therefore should be given significant priority within any scheme submitted.
- (iv) That it is considered important that the site is assessed for compliance with habitats regulation assessments in order to ensure maximum ecological protection of habitats and wildlife.

Firswood Road

- (i) That careful consideration be given to buffer zones to protect the amenity and safety of existing properties between new development and Linear Park boundaries.
- (ii) That the eventual position and design layout of the Linear Park be optimised rather than compromised due to final site design layout between different landowners.

- (iii) That the affordable housing/elderly unit percentages and crossover split be adhered to as closely as possible, as laid out at Appendix 1 of the Report on page 205, having taken the viability test into account.
- (iv) That it is considered important the site is assessed for compliance with habitats regulation assessments in order to ensure maximum ecological protection of habitats and wildlife.
- (v) That the agreed road access/egress changes are implemented, although Members expressed concern about traffic flow numbers quoted by the Highways Authority.

2 In addition to the endorsement of the agreed comments, set out above, the Executive Overview and Scrutiny Committee add their strong concerns regarding the access onto Firwood Road and ask that Officers return to Lancashire County Council (as the Highways Authority) to seek further advice.

(Note: The Leader left the meeting during consideration of this item and was not present for the remaining items of business.)

**13. OPEN SPACE AND RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT**

Consideration was given to the report of the Assistant Director Planning, previously considered by the Planning Committee and Cabinet, that gave details of the proposed changes to the Open Space and Recreation Provision in New Residential Developments Supplementary Planning Document.

In discussion comments and questions were raised in relation to:

- On-site public open space (developer’s retention of ownership) – robustness of legal position; maintenance.
- Provision of recreational and leisure facilities for community use.

The Assistant Strategic Planning and Implementation Manager attended the meeting, responded to questions and provided an overview of the ‘Open Space SPD’ that would form part of the planning policy framework against which planning applications are to be assessed.

RESOLVED: That the following, agreed comments, of the Executive Overview and Scrutiny Committee be forwarded to the Assistant Director Planning.

- (i) The Committee endorses the comment of the Planning Committee, as set down at Appendix D and the decision of Cabinet, as set down at Appendix E, of the report.
- (ii) The Committee expresses some concerns on the robustness of the legal procedure.

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Chairman