

COUNCIL

HELD: 14 DECEMBER 2016

Start: 7.30 pm

Finish: 8.00 pm

PRESENT:

Councillors:	L Savage (Mayor)	N Furey (Deputy Mayor)
	T Aldridge	I Ashcroft
	S Bailey	M Barron
	Mrs M Blake	T Blane
	J Bullock	C Cooper
	P Cotterill	S Currie
	J Davis	N Delaney
	T Devine	G Dowling
	Mrs Evans	D Evans
	Y Gagen	J Gordon
	P Greenall	N Hennessy
	G Hodson	J Hodson
	J Kay	D McKay
	F McKenna	C Marshall
	Mrs Marshall	J Mee
	Ms Melling	M Mills
	I Moran	M Nixon
	D O'Toole	G Owen
	A Owens	J Patterson
	R Pendleton	E Pope
	D West	D Westley
	Mrs Westley	D Whittington
	K Wilkie	K Wright
	C Wynn	A Yates

Officers:	Ms K Webber, Chief Executive
	Mr D Tilleray, Director of Leisure and Wellbeing
	Ms J Sinnot-Lacey, Director of Housing and Inclusion
	Mr M Taylor, Borough Treasurer
	Mr T Broderick, Borough Solicitor
	Mr S Walsh, Borough Transformation Manager & Deputy Director of Housing and Inclusion
	Mr I Gill, Deputy Director of Development and Regeneration
	Mrs J Denning, Assistant Member Services Manager

62 PRAYERS

The Mayor's Chaplain for the evening, Father Godric Timney, led Members and officers in prayer.

63 APOLOGIES

Apologies for absence were received on behalf of Councillors Mrs Baybutt, Cairns, Hudson, Moon, Pritchard and Pryce-Roberts.

64 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Aldridge, Barron, Hennessy, O'Toole and D Westley declared a non pecuniary interest in relation to agenda item 8 'Revised Capital Programme and Mid Year Review', as Members of Lancashire County Council (LCC), as did Councillors Gagen and McKay as employees of LCC, and indicated that they would not participate in any detailed discussions which affected LCC.*
2. Councillors Ashcroft, Barron, Mrs Blake, Blane, Gordon, Kay, Mrs Marshall, Mee, Pope and Whittington declared a non-pecuniary interest in relation to item 8 'Revised Capital Programme and Mid Year Review', in view of their membership of a Parish Council and indicated they would not participate in any detailed discussions which affected the finances of those bodies specifically.*

* By virtue of a dispensation granted by the Standards Committee all Councillors who have disclosable pecuniary or pecuniary interests in relation to relevant lines in the budget may participate and vote in the budget debates but not engage in detailed discussions about matters which affect those interests.

3. Councillors Delaney, Devine, Owen, Nixon, Patterson and West (Tenant of a Council flat/house) Aldridge and McKay (Tenant of a Council garage) declared a disclosable pecuniary interest in relation to item 8 'Revised Capital Programme and Mid Year Review' for the reasons indicated but were entitled to speak and vote by virtue of a dispensation (nothing in these reports relates particularly to their respective interests arising from their respective tenancy or lease).
4. Councillors Aldridge, Mee, Pendleton and Wright declared non-pecuniary interests in relation to item 8 'Revised Capital Programme and Mid Year Review' as they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a pecuniary interest (as it could affect the financial position of their relative and a member of the public with knowledge of the relevant facts would reasonably regard this as so significant that it is likely to prejudice their judgement of the public interest) they declared that interest but considered that they were entitled to speak and vote by virtue of an exemption as nothing in these reports relates particularly to the relevant tenancy or lease.

65 MINUTES

That the minutes of the Extraordinary meeting and the Ordinary meeting of the Council, both held on Wednesday, 19 October 2016, be approved as a correct record and signed by the Mayor.

66 **ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE**

The Mayor thanked Members for their attendance at the Charity Bingo night on 1 December and announced:

1. The following Charity events:
 - The 'Irish Night' on 27 January 2016 at Skelmersdale Football Club
 - A 'Sportsman's Dinner' at The Civic on 3 February 2016and asked for the support of Members at both of these events.
2. That Jacqueline Sinnott-Lacey, the new Director of Housing and Inclusion, was in attendance and wished her well in her new role, as part of the West Lancashire team.
3. That former Labour Councillor and Deputy Leader Frank Riley had died on Wednesday 7th December after a short illness and provided details of the funeral arrangements.

Members paid tribute to the contribution he had made to the Council and to West Lancashire.

67 **TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2**

The following questions were received, which were circulated at the meeting, together with the relevant response provided by the Leader:

a) "Free after Three" Parking Scheme – Question raised by Cllr Owens on behalf of a resident

When Labour were in Opposition, they regularly mocked and ridiculed the ruling Conservative group. One regular suggestion you made was to have a "Free after Three" parking scheme. Now you are in power, you have gone all silent. Why don't you practice what you preach and introduce a "Free after Three" parking scheme in council operated car parks?

Response

The Council's existing management and enforcement arrangements on its Ormskirk town centre pay and display car parks are currently being closely looked at, with a view to streamlining and improving the offer where possible. A report is due to be considered at January's Cabinet meeting which will consider offering customers more flexible ways of paying for parking in the town centre. This report will seek to address a number of the concerns of local businesses in relation to parking. It is flexibility for customers to extend their stay in the town, rather than free car parking that has been the main concern of businesses in recent discussions. This is particularly the case given that car parking in Ormskirk is relatively inexpensive in comparison with other towns.

b) West Lancashire Roads – Defect Reports – Question raised by Cllr Owens on behalf of a resident

Is the Council Leader concerned to learn that more defect reports were made about West Lancashire's roads in the first quarter of 2016 than in any other part of Lancashire and more than three times as many as the defect reports made in the best area?

What steps does he intend to take to bring the concerns of West Lancashire's residents about this unfavourable situation to the county council?

Response

As your question implies, the responsibility for highway maintenance is a matter for the County Council as Highway Authority.

West Lancashire has the second highest total length of roads across the County and the reported defects are in relation to the adopted highway infrastructure, which will include roads, footways, kerbs, manholes, street furniture etc . Reported defects are mainly those identified through the County Council's own highway inspection monitoring regime, as well as those reported by the public. Skelmersdale has the largest area of flagged footways to be maintained across the County and will therefore statistically accrue a higher number of defects in those areas.

The Council is obviously concerned about the number of defect reports made in relation to the adopted highway infrastructure within West Lancashire, however County Council policy is that all reported defects are repaired within 20 days and as such all defects reported in the first quarter of 2016 should have long since been repaired, together with any subsequently reported defects which are now over 20 days old. The Council is advised that although County Council policy is to repair defects within 20 days, in reality most defects will be attended to in 10 days or less.

As I am not aware that there are any inadequacies in relation to the County Council's response to reported defects, I do not consider that the issue raised merits a specific letter to the County Council. However, in any discussions with the County Council both Members and Officers will always to encourage a proactive maintenance regime for the Borough's highways

MINUTES OF COMMITTEES

Consideration was given to the minutes of the undermentioned meetings of the Committees shown.

The Chairman of the Planning Committee moved "That consideration of the minutes of the Planning Committee meeting held on 8 December 2016 be deferred until the

next Council meeting”, which was seconded.

A vote was taken on the Motion to defer consideration of the Planning Committee minutes from 8 December 2016, until the next Council meeting, was CARRIED.

RESOLVED A. That the minutes of the undermentioned meetings and any recommendations contained in them, be approved:

- a) Polling Districts and Polling Places Review Committee – Thursday, 27 October 2016.
- b) Chief Officers Committee held on Wednesday 2, 9 and 10 November 2016.
- c) Planning Committee held on Thursday 10 November 2016.
- d) Licensing and Appeals Committee held on Tuesday 6 December 2016.

B. That consideration of the minutes of the Planning Committee meeting held on 8 December 2016, be deferred until the next Council meeting.

(Note: 1. Councillor Cotterill asked for his vote against the minutes of the Planning Committee held on Thursday 10 November 2016, to be recorded.

2. Councillor McKenna arrived during consideration of this item.)

69

REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2016/2017

Consideration was given to the report of the Borough Treasurer, as contained on pages 565 to 588 of the Book of Reports, which sought approval of a revised Capital Programme for 2016/2017 and provided an overview on the progress against it at the mid-year point.

RESOLVED: A. That the revised Capital Programme, including the re-profiling, virements and budget adjustments contained within Appendix A to the report, be approved.

B. That progress against the revised Capital Programme at the mid-year point be noted.

70

APPOINTMENT OF EXTERNAL AUDITORS AND BUDGET UPDATE

Consideration was given to the report of the Borough Treasurer, as contained on pages 589 to 592 of the Book of Reports, which provided an update on a range of governance and budget matters.

- RESOLVED A. That the Council accepts Public Sector Audit Appointments' invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.
- B. That the use of the Borough Treasurer's delegated authority to implement the new Living Wage level of £8.45 per hour from 1st December 2016 be noted.
- C. That funding of up to £25,000 be approved from the Major Projects Reserve towards works at Abbey Lakes, Up Holland if required.
- D. That the existing Council Tax Support Scheme be continued for the next financial year.

71 APPOINTMENT OF VICE-CHAIRMAN OF PLANNING COMMITTEE

Consideration was given to the report of the Borough Solicitor, as contained on pages 593 to 594 of the Book of Reports, to appoint the Vice-Chairman of the Planning Committee.

RESOLVED: That Councillor Claire Cooper be appointed Vice-Chairman of the Planning Committee for the remainder of the 2016/17 Municipal Year.

72 EXECUTIVE DECISIONS - SPECIAL URGENCY

Consideration was given to the report of the Borough Solicitor, as contained on pages 595 to 598 of the Book of Reports, which advised that, for the period 1 December 2015 to 30 November 2016, two decisions had been made in relation to Access to Information Procedure Rule 16 (Special Urgency) and provided relevant details of these.

RESOLVED: That it be noted that Access to Information Rule 16 (Special Urgency) was exercised twice during the period 1 December 2015 to 30 November 2016.

73 PROVISION OF URGENT CARE AND COMMUNITY HEALTH SERVICE - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR WRIGHT ON BEHALF OF THE LABOUR GROUP

The Motion was withdrawn.

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THE MAYOR