



Kim Webber B.Sc. M.Sc.
Chief Executive
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Tuesday, 6 December 2016

TO: THE MAYOR AND COUNCILLORS

Dear Councillor,

You are summoned to a meeting of the **COUNCIL** to be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **WEDNESDAY, 14 DECEMBER 2016** at **7.30 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Kim Webber', written over a horizontal line.

Kim Webber
Chief Executive

AGENDA
(Open to the Public)

1. PRAYERS

2. APOLOGIES

3. DECLARATIONS OF INTEREST

If a member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.)

Page(s)
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4. MINUTES

To receive as a correct record the following minutes of Council:

- | | | |
|----|--|-----------|
| a) | Wednesday, 19 October 2016 (Extraordinary) | 537 - 538 |
| b) | Wednesday, 19 October 2016 | 539 - 552 |

5. **ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE**
6. **TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2**
7. **MINUTES OF COMMITTEES** **Page(s)**
 To receive the minutes of the following meetings, to confirm, if appropriate, such of the minutes as require confirmation and to pass such resolutions as the Council may deem necessary:
- a) Polling Districts and Polling Places Review Committee - Thursday, 27 October 2016 553 - 554
- b) Chief Officers Committee - Wednesday, 2 November 2016 555 - 556
- c) Chief Officers Committee - Wednesday, 9 November 2016 557 - 558
- d) Chief Officers Committee - Thursday, 10 November 2016 559 - 560
- e) Planning Committee - Thursday, 10 November 2016 561 - 564
- f) Licensing & Appeals Committee - Tuesday, 6 December 2016 (To Follow)
- g) Planning Committee - Thursday, 8 December 2016 (To Follow)
8. **REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2016/2017** 565 - 588
 To consider the report of the Borough Treasurer.
9. **APPOINTMENT OF EXTERNAL AUDITORS AND BUDGET UPDATE** 589 - 592
 To consider a report of the Borough Treasurer.
10. **APPOINTMENT OF VICE-CHAIRMAN OF PLANNING COMMITTEE** 593 - 594
 To consider the report of the Borough Solicitor.
11. **EXECUTIVE DECISIONS - SPECIAL URGENCY** 595 - 598
 To consider the report of the Borough Solicitor.
12. **PROVISION OF URGENT CARE AND COMMUNITY HEALTH SERVICE - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR WRIGHT ON BEHALF OF THE LABOUR GROUP**
- To consider the following Motion included on the agenda at the request of Councillor Wright, on behalf of the Labour Group:
- “That this Council notes with concern the intention of West Lancashire Clinical Commissioning Group to proceed towards contract with the profit-making company Virgin Care Ltd for the delivery, from April 2017, of both urgent care and community health service, which to this point have been provided on a non-profit basis from within the NHS.

That this Council is concerned that, over time, health services contracted to a profit-making company such as Virgin Care Ltd may become degraded, with consequent negative effect for the people of West Lancashire, given the inherent conflict of interest between the contractual requirement to deliver services and the primary requirement of a private company to deliver returns to the shareholders of Virgin Care Ltd, which is majority owned by the Virgin Group Ltd conglomerate.

Further, that this Council is concerned that, over time, and for the same 'profit before people' rationale, the terms and conditions of staff currently operating within the NHS, and indeed their continued employment, may be compromised, with unjust contract changes imposed following due TUPE process, for "economic, technical and organizational (ETO)" reasons which may not have been made clear during the tendering process.

That in light of these concerns, the Chief Executive be instructed to:

- a) write to the Chief Executives of both West Lancashire CCG and Virgin Care Ltd, to demand that the contracting process be carried out with full transparency, and with West Lancashire Borough Council afforded full opportunity to consult and make recommendations on the final contract before it is signed by both parties.
- b) that this letter to the two Chief Executives include specific demands to consult and make recommendations on the contract as pertain to:
 - i) the continuation of terms and conditions for staff post TUPE transfer;
 - ii) the metrics and measurement processes under which Virgin Care Ltd will be required to prove compliance with the contracts signed;
 - iii) a due adherence within the contract to the measures promised by Virgin Care during the tendering process, including but not restricted to any or all promises made about the fair sub-contracting of Voluntary, Community & Faith Sector organisations for the delivery of a proportion of the services, in a way which promotes the long-term viability of the sector.

That responses to this letter be reviewed at the earliest opportunity by Cabinet and by the Corporate & Environmental Overview & Scrutiny Committee."

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

FIRE EVACUATION PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-

Jacky Denning on 01695 585384

Or email jacky.denning@westlancs.gov.uk

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE: Most Senior Officer Present
ZONE WARDEN: Member Services Officer / Lawyer
DOOR WARDEN(S) Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

Agenda Item 3

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/09/16 – 19/09/20)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 4a

COUNCIL

HELD: Wednesday, 19 October 2016

Start: 7.00 pm

Finish: 7.23 pm

PRESENT:

Councillor: L Savage (Mayor) N Furey (Deputy Mayor)

T Aldridge	I Ashcroft
S Bailey	M Barron
Mrs P Baybutt	Mrs M Blake
T Blane	J Bullock
J Cairns	C Cooper
P Cotterill	S Currie
N Delaney	T Devine
G Dowling	Mrs C Evans
D Evans	Y Gagen
J Gordon	P Greenall
N Hennessy	G Hodson
J Hodson	P Hudson
J Kay	D McKay
C Marshall	Mrs J Marshall
J Mee	M Mills
P Moon	I Moran
M Nixon	D O'Toole
G Owen	A Owens
J Patterson	A Pritchard
N Pryce-Roberts	D West
D Westley	Mrs M Westley
D Whittington	K Wilkie
K Wright	C Wynn
A Yates	

Officers:

- Ms K Webber, Chief Executive
- B Livermore, Director of Housing and Inclusion
- D Tilleray, Director of Leisure and Wellbeing
- G Concannon, Director Street Scene
- S Walsh, Borough Transformation Manager & Deputy Director of Housing and Inclusion
- Mr T Broderick, Borough Solicitor
- T Lynan, Elections and Administration Manager
- Mrs J Denning, Assistant Member Services Manager

38 PRAYERS

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

39 APOLOGIES

Apologies for absence were received on behalf of Councillors Mrs Melling and Pope.

40 DECLARATIONS OF INTEREST

There were no declarations of interests.

41 HONORARY ALDERMAN - MRS UNA ATHERLEY

Consideration was given to a Notice of Motion moved by Councillor Westley and seconded by Councillor Moran in the following terms:

“That pursuant to their powers under Section 249 (1) of the Local Government Act 1972, the Council do confer upon Mrs Una Atherley, the title of Honorary Alderman of the Borough of West Lancashire in recognition of the eminent services which she has rendered to the Council of the Borough of West Lancashire during the 25 years in which she was a Member of the Council.”

In moving the above Motion, Councillor Westley paid tribute to the services rendered to the Council by former Councillor Mrs Atherley during her 25 years as a Councillor.

Councillor Moran, in seconding the Motion, concurred with Councillor Westley’s remarks, as did other Members who were in attendance.

The Mayor then put the Motion to the vote and as there were more than two-thirds of the Members voting thereon in favour of the Motion, as required by Section 249(1) of the Local Government Act 1972, it was

RESOLVED: That pursuant to their powers under Section 249 (1) of the Local Government Act 1972, the Council do confer upon Mrs Una Atherley, the title of Honorary Alderman of the Borough of West Lancashire in recognition of the eminent services which she has rendered to the Council of the Borough of West Lancashire during the 25 years in which she was a Member of the Council.

.....
THE MAYOR

Agenda Item 4b

COUNCIL

HELD: Wednesday, 19 October 2016

Start: 7.30 pm

Finish: 10.15 pm

PRESENT:

Councillors:	L Savage (Mayor)	N Furey (Deputy Mayor)
	T Aldridge	I Ashcroft
	S Bailey	M Barron
	Mrs P Baybutt	Mrs M Blake
	T Blane	J Bullock
	J Cairns	C Cooper
	P Cotterill	S Currie
	J Davis	N Delaney
	T Devine	G Dowling
	C Evans	D Evans
	Y Gagen	J Gordon
	P Greenall	N Hennessy
	G Hodson	J Hodson
	P Hudson	J Kay
	D McKay	C Marshall
	Mrs J Marshall	J Mee
	M Mills	P Moon
	I Moran	M Nixon
	D O'Toole	G Owen
	A Owens	J Patterson
	A Pritchard	N Pryce-Roberts
	D West	D Westley
	Mrs M Westley	D Whittington
	K Wilkie	K Wright
	C Wynn	A Yates

Officers:	Ms K Webber, Chief Executive
	R Livermore, Director of Housing and Inclusion
	D Tilleray, Director of Leisure and Wellbeing
	G Concannon, Director Street Scene
	J Harrison, Director of Development and Regeneration
	T Broderick, Borough Solicitor
	M Taylor, Borough Treasurer
	S Walsh, Borough Transformation Manager & Deputy Director of Housing and Inclusion
	P Samosa, Deputy Director Street Scene
	T Lynan, Elections and Administration Services Manager
	Mrs J Denning, Assistant Member Services Manager

42 PRAYERS

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

43 **APOLOGIES**

Apologies for absence were received on behalf of Councillors McKenna, Ms Melling and Pope.

44 **DECLARATIONS OF INTEREST**

The following declarations were received:

1. Councillors Aldridge, Barron, Hennessy, O'Toole and D Westley declared a pecuniary / non pecuniary interest in relation to agenda item 8 'General Revenue Account Policy Options 2017/18*', agenda item 12 'Overview and Scrutiny Committee Annual Report 2015/16', agenda item 13 'A Market Town Strategy for Ormskirk – Final Report of the Corporate and Environmental Overview and Scrutiny Committee' and agenda item 19(c) 'Motion – Grammar Schools', 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 and Whittington declared a pecuniary / non pecuniary interest in relation to agenda item 8 'General Revenue Account Policy Options 2017/18' as Members of a Parish Council and indicated they would not participate in any detailed discussions which affected the finances of those bodies specifically.*
3. Councillor Wynn declared a Disclosable Pecuniary Interest in relation to item 8 'General Revenue Account Policy Options 2017/18' 'OP9 – Green Waste Collection' and OP11 'Full review of mechanical sweeping and street cleansing prestige work', as he is employed by Essential Fleet Services Ltd to maintain Council vehicles and works at the Robert Hodge Centre and indicated he would not participate in any detailed discussions which affected his employer or employment.*

* 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.

4. All Members declared a pecuniary interest in relation to item 8 'General Revenue Account Policy Options 2017/18' 'OP15 – Remove essential user lump sum car allowance and consider payment of mileage rates' but were entitled to speak and vote by virtue of an exemption.*
5. Councillors Delaney, Devine, Owen, Nixon, Patterson and West (Tenant of a Council flat/house) Aldridge and McKay (Tenant of a Council garage) declared disclosable pecuniary interests in relation to item 9 'Housing Revenue Account Policy Options for 2017/18' for the reasons indicated but were entitled to speak and vote by virtue of an exemption (nothing in these reports relates particularly to their respective interests arising from their respective tenancy or lease).

6. Councillors Aldridge, Mee, Pendleton and Wright declared non-pecuniary interests in relation to item 9 'Housing Revenue Account Policy Options for 2017/18' 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.
7. Councillors Cotterill and D Westley declared a non-pecuniary interest in agenda item 17(c) 'Grammar Schools – Motion' as school governors of a secondary school.
8. Councillor Aldridge declared a non-pecuniary interest in agenda item 17(b) 'Fracking on Council Owned Land' as a member of Lancashire County Council.

45 MINUTES

That the minutes of the meeting held on 20 July and the Extraordinary meeting held on 22 September 2016, be approved as a correct record and signed by the Mayor.

46 ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE

A. The Mayor announced:

1. The following Charity events:
 - The '80's Disco' on 4 November 2016 at The Civic – tickets £5.00
 - Christmas Bingo in The Civic on 1 December – ticket price £5.00, to include hot drink/mince priceAnd asked for the support of Members at both of these events.

2. That the Saracen's Head, Halsall had won the award for 'Best Kept Pub, Inn or Restaurant' and Scarisbrick Marina had been highly commended in the 'Best Kept Industrial / Commercial Premises' in the 'Lancashire Best Kept Village Competition 2016' and presented Councillor Mills with the respective certificates on behalf of the organisations, as the Ward Councillor for Halsall.

- B. The Chief Executive announced the retirement of Mr R Livermore, Director of Housing and Inclusion, and Mr G Concannon, Director of Street Scene, and commended them on their service to the Council and their careers.

The Mayor presented the officers with a commemorative Shield and thanked each of them for their service to the Council.

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

There were no items under this heading.

48 MINUTES OF COMMITTEES

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

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

- A. Licensing & Appeals Committee - Tuesday, 19 July and 11 October 2016
- B. Planning Committee - Thursday, 28 July, 1 September (*subject to Minute 25 'Membership of the Committee' where it reads 'Councillor Owens', this should read 'Owen'.*) and 6 October 2016
- C. Chief Officers Committee - Thursday, 8 and 29 September 2016
- D. Standards Committee - Tuesday, 20 September 2016
- E. Audit & Governance Committee - Tuesday, 27 September 2016

49 GENERAL REVENUE ACCOUNT POLICY OPTIONS 2017-18

Consideration was given to the report of the Chief Executive, as contained on pages 299 to 370 of the Book of Reports, which detailed the financial performance in the current year and the results of the Policy Options 2017/18 consultation, before agreeing a final set of Policy Options for implementation.

Additional information, which contained the views of the Trade Unions in relation to the 3 Options on Car Allowances was circulated, together with a Motion, which was moved and seconded.

An Amendment to the Motion was moved and seconded in the following terms:
"That the Motion be amended at paragraph C. to remove reference to the introduction of a charge for the collection of Green Waste."

A vote was taken on the Amendment, which at the request of a Member, was recorded as follows:

FOR: Councillors Ashcroft, Bailey, Barron, Mrs Baybutt, Mrs Blake, Blane, Cairns, Currie, Mrs C Evans, Gordon, Greenall, Kay, C Marshall, Mrs Marshall, Mee, Moon, O'Toole, Owens, D Westley, Mrs Westley and Whittington (TWENTY ONE)

COUNCIL

HELD: Wednesday, 19 October 2016

AGAINST: Councillors Aldridge, Bullock, Cooper, Cotterill, Delaney, Devine, Dowling, D Evans, Furey, Gagen, Hennessy, G Hodson, J Hodson, Hudson, McKay, Mills, Moran, Nixon, Owen, Patterson, Pritchard, Pryce-Roberts, West, Wilkie, Wright and Yates (TWENTY SIX)

ABSTENTIONS: Councillor Savage (ONE)

The Amendment was LOST

A vote was taken on the Motion, which at the request of a Member, was recorded as follows:

FOR: Councillors Aldridge, Bullock, Cooper, Cotterill, Davis, Delaney, Devine, Dowling, D Evans, Furey, Gagen, Hennessy, G Hodson, J Hodson, McKay, Mills, Moran, Nixon, Owen, Patterson, Pritchard, Pryce-Roberts, Savage, West, Wilkie, Wright and Yates (TWENTY SEVEN)

AGAINST: Councillors Ashcroft, Bailey, Barron, Mrs Baybutt, Mrs Blake, Blane, Cairns, Currie, Mrs C Evans, Gordon, Greenall, Hudson, Kay, C Marshall, Mrs Marshall, Mee, Moon, O'Toole, Owens, D Westley, Mrs Westley and Whittington (TWENTY TWO)

ABSTENTIONS: NONE

The Motion was CARRIED.

- RESOLVED:
- A. That the financial performance at the mid year point as set out in Appendix 1 be noted.
 - B. That the results of the Policy Options consultation set out in Appendices 2, 3 and 4 be noted.
 - C. That the following Policy Option proposals be approved from 2017/18:
 - Introduce a charge of £30 per year for the collection of green compostable material (Appendix 5 reference OP9)
 - Introduce a charge of £25 per year to have an extra green bin emptied (Appendix 5 reference OP9)
 - Removal of Static Recycling sites across the Borough (Appendix 5 reference OP10)
 - Reduce time period for discretionary council tax discounts on empty properties by half (Appendix 5 reference OP12)
 - Introduce a flat rate for the essential user lump sum car allowance based on the NJC rate for the smallest size cars with pay protection for any staff whose allowance is reduced

(Appendix 6 option 2)

- Payment of HMRC rates for all business mileage (Appendix 6 option 2)

D. That the remaining Policy Option proposals contained in Appendix 5 be deferred for consideration at a later date.

E. That the Chief Executive and Heads of Service be given authority to take all necessary action in connection with the implementation of the approved proposals.

(Note: (i) Councillor Wynn declared a disclosable pecuniary interest in this item and left the room whilst the item was being considered.

(ii) Councillor Davis arrived during consideration of this item, following the vote on the Amendment.)

50

HOUSING REVENUE ACCOUNT POLICY OPTIONS 2017-18

Consideration was given to the report of the Director of Housing and Inclusion, as contained on pages 371 to 402 of the Book of Reports, which detailed the financial performance in the current year and the results of the Policy Options 2017/18 consultation, before agreeing a final set of Policy Options for implementation.

RESOLVED: A. That the financial performance at the mid year point as set out in Appendix 1 be noted.

B. That the results of the Policy Options consultation set out in Appendix 2 be noted.

C. That the Policy Option proposals set out in Appendix 3 be approved.

D. That the Director of Housing and Inclusion be given authority to take all necessary action in connection with the implementation of the approved proposals.

51

2018 BOUNDARY REVIEW (PARLIAMENTARY CONSTITUENCIES)

Consideration was given to the report of the Borough Solicitor, as contained on pages 403 to 420 of the Book of Reports, which detailed the Boundary Commission for England's consultation on its initial proposals for the West Lancashire and Southport Parliamentary constituencies in its "Initial Proposals for the North West Region" and provided a suggested response.

RESOLVED: That the Borough Solicitor responds to the consultation, as set out at Appendix 4 to the report.

52 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING 2016-17

Consideration was given to the report of the Borough Treasurer, as contained on pages 421 to 426 of the Book of Reports, which detailed the Treasury Management operations in the year to date and reported on the Prudential Indicators for 2016/17, where available.

RESOLVED: That the Prudential Indicators and Treasury Management activity in the year to date be noted.

53 OVERVIEW AND SCRUTINY ANNUAL REPORT 2015/16

Consideration was given to the report of the Borough Solicitor, as contained on pages 427 to 448 of the Book of Reports, which presented the Overview and Scrutiny Annual Report 2015/16 and considered how overview and scrutiny is working at West Lancashire.

RESOLVED: That the Overview and Scrutiny Annual Report 2015/16, attached at Appendix 1 to this report, be noted and the Overview and Scrutiny Committees be commended on their work.

(Note: Councillor Dowling left the room whilst this item was under consideration.)

54 A MARKET TOWN STRATEGY FOR ORMSKIRK - FINAL REPORT OF THE CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE

Consideration was given to the report of the Director of Leisure and Wellbeing, as contained on pages 449 to 500 and the final report and recommendations of the Corporate and Environmental Overview and Scrutiny Committee following a review it had conducted entitled 'A Market Town Strategy for Ormskirk'.

RESOLVED: A. That the Corporate and Environmental Overview and Scrutiny Committee be complimented on their work.

B. That the final report of the Corporate and Environmental Overview and Scrutiny Committee 'A Market Town Strategy for Ormskirk', attached at Appendix A to the report, be noted and approved for formal publication, subject to resources.

C. That the Corporate and Environmental Overview and Scrutiny Committee review the recommendations contained in the report in December 2016.

(Note: Councillor Dowling left the room whilst this item was under consideration.)

55 **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 involves the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 of Part 1 of Schedule 12A of that 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.

56 **WESTEC HOUSE SITE**

Consideration was given to the report of the Director of Housing and Inclusion, as contained on pages 501 to 514 of the Book of Reports, which advised that the site identified to invest the 1-4-1 replacement funding together with Housing Revenue Account (HRA) funding for affordable housing redevelopment, will be the former Westec Site, Ormskirk (as detailed in Appendix C to the report) and sought approval for finance as necessary, so that the remainder of the site could be fully developed to provide the maximum Capital Receipt possible for the land.

- RESOLVED:
- A. That it be noted that subject to D. below, the Director of Housing and Inclusion, after consultation with the Housing Portfolio Holder, had selected the former Westec House site to build affordable homes approved by Council in July 2016.
 - B. That subject to D. below, additional funding to a maximum of £2.201M be authorised to develop out the whole of the Westec House site in accordance with paragraph 4.1d) of the report.
 - C. That the funding in B. above be used to build properties for market sale and to include all appropriate costs associated with the redevelopment process.
 - D. That it be noted that Cabinet is to consider the appropriation of Westec House site land.
 - E. That the proceeds of sale, less any revenue costs such as marketing etc., raised by this be allocated in part to provide £450,000 to support the current Capital Programme and the use of the remainder be determined by Council, in due course, to meet its priorities.
 - F. That subject to D. above, the Director of Housing and Inclusion take all necessary steps to deliver B. and C. above, including approvals, entering into relevant contracts/agreements and the obtaining of necessary permissions and consents.

(Note: Councillor Whittington asked that his Abstention from voting be recorded.)

57 SENIOR MANAGEMENT - INTERIM ARRANGEMENTS

Consideration was given to the report of the Chief Executive, as contained on pages 515 to 530 of the Book of Reports, which sought approval to the interim arrangements for senior management cover, prior to the successful candidates for the posts of Director of Housing and Inclusion and Director of Street Scene taking up their positions.

RESOLVED: A. That the approach to interim arrangements for senior management cover, as set out in paragraphs 5.3.1 and 5.3.2 of the report and Appendix 1b to the report, be agreed.

B. That pending the permanent appointment to the Director of Housing and Inclusion and Street Scene posts, on retirement of the current post holders, the following posts be redesignated as indicated:

From	To
Borough Transformation Manager and Deputy Director of Housing & Inclusion	Director of Housing & Inclusion (Interim)
Deputy Director of Street Scene	Director of Street Scene (Interim)
Housing and Operations Manager	Deputy Director of Housing & Inclusion [Operations] (Interim)
Property Services Manager	Deputy Director of Housing & Inclusion [Property] (Interim)
Support Services Manager	Borough Transformation Manager (Interim)

and that the current post holders assume the duties attributed to these revised roles as detailed in marked up job descriptions, with honoraria calculated in line with corporate policies, on the basis of existing terms and conditions.

C. That pending permanent appointment to the post of Director of Housing and Inclusion, on retirement of the current post holder, the Director of Development and Regeneration act as joint deputy for the Chief Executive (with the Director of Leisure and Wellbeing), at a salary level set out at 5.3.2 (i) of the report, on the basis of existing terms and conditions.

- D. That delegated authority be agreed for the Chief Executive to take all action necessary in connection with implementing A., B. and C. above, including varying the duration of the arrangement as required.
- E. That the Constitution including the 'Proper Officer Provisions and Scheme of Delegation' and relevant policies and procedures be updated as required to reflect A., B. and C. above, as set out at Appendix 3 to the report.

- (Note: (i) All officers, except for the Chief Executive, the Borough Solicitor, the Borough Treasurer and the Assistant Member Services Manager, left the room whilst this item was being considered.
- (ii) Councillor Owens requested that his Abstention from voting be recorded.
 - (iii) Following consideration of this item, Officers, the Press and Public were invited back into the meeting.)

58 MOTIONS

Consideration was given to the following Motions included on the agenda by the Members indicated:

59 'TOTAL ECLIPSE OF THE S*N' - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR WILKIE ON BEHALF OF THE LABOUR GROUP

With the consent of the meeting, the following Altered Motion was moved and seconded:

'Total Eclipse of the S*n' - Motion Included on the Agenda by Councillor Wilkie on behalf of the Labour Group

This motion calls on shops in West Lancashire to stop selling the S*n newspaper and condemns it for publishing "blatant lies".

On 15th April 1989 a disaster at Hillsborough Stadium in Sheffield led, ultimately, to the deaths of 96 innocent fans that had left home that morning to watch a football match.

Due to crowd control mis-management those fans, whose ages ranged from 10 to 67 years old, had the life crushed out of them. Contrary to the facts, the S*n published a front page story with the banner headline 'The Truth' which contained blatant lies.

Many Hillsborough families who were affected by that fateful day reside in West Lancashire.

For this reason the Council calls on all retailers and vendors of newspapers in West Lancashire to stop selling The S*n and applauds the group 'Total Eclipse of the S*n' for endeavouring to rid the North West of the newspaper.

A vote was taken and at the request of a Member, it was recorded as follows:

FOR: Councillors Aldridge, Bullock, Cooper, Cotterill, Davis, Delaney, Devine, Dowling, Mrs C Evans, D Evans, Furey, Gagen, Hennessy, G Hodson, J Hodson, Hudson, McKay, Mills, Moran, Nixon, Owen, Patterson, Pritchard, Pryce-Roberts, Savage, West, Wilkie, Wright, Wynn and Yates (THIRTY)

AGAINST: Councillors Ashcroft, Barron, Cairns, Currie, Greenall, Mee, Moon, O'Toole, Owens, D Westley, Mrs Westley and Whittington (TWELVE)

ABSTENTIONS: Councillors Bailey, Mrs Baybutt, Mrs Blake, Blane, Gordon, Kay, C Marshall and Mrs Marshall (EIGHT)

RESOLVED: That this Council calls on shops in West Lancashire to stop selling the S*n newspaper and condemns it for publishing "blatant lies".

On 15th April 1989 a disaster at Hillsborough Stadium in Sheffield led, ultimately, to the deaths of 96 innocent fans that had left home that morning to watch a football match.

Due to crowd control mis-management those fans, whose ages ranged from 10 to 67 years old, had the life crushed out of them. Contrary to the facts, the S*n published a front page story with the banner headline 'The Truth' which contained blatant lies. Many Hillsborough families who were affected by that fateful day reside in West Lancashire.

For this reason the Council calls on all retailers and vendors of newspapers in West Lancashire to stop selling The S*n and applauds the group 'Total Eclipse of the S*n' for endeavouring to rid the North West of the newspaper.

60 **FRACKING ON COUNCIL OWNED LAND - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR J HODSON ON BEHALF OF THE LABOUR GROUP**

The following Motion was moved and seconded:

As part of Labour's commitment to the Cop 21 Climate Change Agreement in Paris, the Shadow Secretary of State for Energy recently announced that Labour would place a ban on Fracking due to its incompatibility with targets to tackle Climate Change. West Lancashire Borough Council, in line with this commitment will not allow any Fracking to take place on any Council owned land.

RESOLVED: As part of Labour's commitment to the Cop 21 Climate Change Agreement in Paris, the Shadow Secretary of State for Energy recently announced that Labour would place a ban on Fracking due to its incompatibility with targets to tackle Climate Change. West Lancashire Borough Council, in line with this commitment will not allow any Fracking to take place on any Council owned land.

(Note: (i) Councillor Cairns left the meeting prior to consideration of this item.
(ii) Councillors Currie, Gordon and D Westley left the room whilst this item was under consideration.)

61 **GRAMMAR SCHOOLS - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR DOWLING ON BEHALF OF THE LABOUR GROUP**

With the consent of the meeting the following Altered Motion was moved and seconded:

This Council is proud of all secondary schools in the borough and applauds them in the work they do to educate our children, in times of tough financial pressures, ever increasing scrutiny from Ofsted and the ever changing policies of the Department for Education.

This council notes the opposition by Lancashire County Council, the Shadow Education Secretary Angela Rayner MP, former Education Secretary Nicky Morgan, Ofsted Chief Sir Michael Wilshaw, the OECD, and many others to this government's grammar schools proposals.

This Council believes the Tories' plan for grammar schools will segregate our children, providing a privileged education for a few and a second class education for the rest. Far from increasing social mobility, they undermine the quality of existing secondary schools and improving life chances across the board.

This Council resolves to write to the Prime Minister and the Secretary of State for Education urging them not to proceed with these divisive proposals which contradict all available evidence regarding the most effective ways to improve educational achievement and hence will do nothing to raise educational standards for all our children.

- RESOLVED: A. That this Council is proud of all secondary schools in the borough and applauds them in the work they do to educate our children, in times of tough financial pressures, ever increasing scrutiny from Ofsted and the ever changing policies of the Department for Education.
- B. That this council notes the opposition by Lancashire County Council, the Shadow Education Secretary Angela Rayner MP, former Education Secretary Nicky Morgan, Ofsted Chief Sir Michael Wilshaw, the OECD, and many others to this government's grammar schools proposals.
- C. That this Council believes the Tories' plan for grammar schools will segregate our children, providing a privileged education for a few and a second class education for the rest. Far from increasing social mobility, they undermine the quality of existing secondary schools and improving life chances across the board.
- D. That this Council resolves to write to the Prime Minister and the Secretary of State for Education urging them not to proceed with these divisive proposals which contradict all available evidence regarding the most effective ways to improve educational

COUNCIL

HELD: Wednesday, 19 October 2016

achievement and hence will do nothing to raise educational standards for all our children.

.....
THE MAYOR

POLLING DISTRICTS AND POLLING PLACES REVIEW COMMITTEE

HELD: Thursday, 27 October 2016
Start: 5.30 pm
Finish: 5.38 pm

PRESENT:

Councillor: G Dowling (Chairman)

Councillors: P Cotterill D Evans
P Greenall D Westley

Officers: T Broderick, Borough Solicitor
T Lynan, Elections and Administration Manager
Mrs J Denning, Assistant Member Services Manager

1 APOLOGIES

There were no apologies for absence.

2 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillor Owen and the appointment of Councillor Cotterill for this meeting only, thereby giving effect to the wishes of the Political Groups.

3 DECLARATIONS OF INTEREST

Councillor Dowling declared a non-pecuniary interest in agenda item 5 'Interim Polling Review 2016', as a Governor at St Teresa's Catholic Primary School.

4 MINUTES

RESOLVED That the minutes of the meeting held on 27 January 2016, be received as a correct record and signed by the Chairman.

5 INTERIM POLLING REVIEW 2016

Consideration was given to the report of the Borough Solicitor, as contained on pages 5 to 24 of the Book of Reports, which set out an Interim Review of Polling Districts and Polling Places in line with the Representation of the People Act 1983, as amended.

A revised paragraph 4.2 was circulated, together with additional information relating to paragraph 2.1 and 4.0 to 4.6 of the report.

RESOLVED: A. That the proposals for the Polling Place of Polling District DEC2 (Appendix 1) be noted and that the DEC2 Polling Place be designated as 'The Hub', Edge Hill University Campus and the polling station arrangements remain as currently in place on the basis that the arrangements put in place would provide all electors with reasonable facilities for voting as are practicable in the circumstances.

- B. That the outline timetable for the Interim Review of Polling Districts BEC and WRD, as set out in Appendix 2 of this report be agreed.
- C. That the Borough Solicitor be authorised to administer the Interim Review.
- D. That the Acting Returning Officer be consulted on the Interim Review and report on the existing Polling Places and any new Polling Places that serve Burscough East Polling District BEC and Wrightington Polling District WRD.
- E. That following the outcome of the consultation on the Review the Borough Solicitor reports to the Polling Districts and Polling Places Review Committee with Final Interim Review Proposals for determination.

.....
Chairman

CHIEF OFFICERS COMMITTEE

HELD: Wednesday, 2 November 2016

Start: 5.00 pm

Finish: 5.50 pm

PRESENT:

Councillor: Y Gagen (Chairman)
I Moran (Vice Chairman)

Councillors: I Ashcroft
D Westley

Officers: Ms K Webber, Chief Executive
Ms J Woods, Head of Human Resources and Organisational
Development (Interim)
Mrs J Denning (Assistant Member Services Manager)

In attendance: Mr K Power (North West Employers)

14 APOLOGIES

An apology for absence was received on behalf of Councillor Wright. It was noted that alternative arrangements for training would be put in place for Councillor Wright.

15 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

16 URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 MINUTES

RESOLVED That the minutes of the meeting held on 29 September 2016 be received as a correct record and signed by the Chairman.

19 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 involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that 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.

20 RECRUITMENT TO POSTS OF DIRECTOR OF HOUSING AND INCLUSION AND DIRECTOR OF STREET SCENE

Consideration was given to the report of the Chief Executive, as contained on pages 93 to 100 of the Book of Reports, which sought agreement of the shortlist of candidates to be taken forward to the Assessment Centre on 9 November for the posts of Director of Housing and Inclusion and Director of Street Scene, sought agreement of the interview questions, group exercise, test content, presentation questions and stakeholder panel questions, and provided an update on progress since the last meeting of the Committee.

Mr K Power from North West Employers provided a summary of those candidates that had been selected for proceeding to the next round based on the submission of their application forms, completion of an online test and telephone interview and a copy of their percentile scores was circulated in relation to 'Managing objectives', 'People Management', 'Reputation Management' and 'Managerial Judgement' following this process. Mr Power then provided a brief employment history for each of the candidates put forward.

The Head of Human Resources and Organisational Development (Interim) circulated a pack containing interview questions, group exercise test content, presentation questions and stakeholder panel questions. These were collected in following their consideration.

- RESOLVED:
- A. That the update from the North West Employers Organisation on applications for the posts of Director of Housing and Inclusion and Director of Street Scene be noted.
 - B. That the candidates put forward by North West Employers, be invited to the Assessment Centre on 9 November as follows:
 - (i) Director of Housing and Inclusion – Candidates 4, 13, 7 and 3.
 - (ii) Director of Street Scene – Candidates 5, 18, 20, 13 and 11.
 - C. That the interview, stakeholder and presentation questions, together with the content of the test/group exercise to be used in the course of the recruitment process for the two posts, be agreed.
 - D. That the programmes for 9 and 10 November, attached at Appendix 1 and 2 to the report, be agreed.

.....
Chairman

CHIEF OFFICERS COMMITTEE

HELD: Wednesday, 9 November 2016

Start: 6.05 pm

Finish: 6.32 pm

(The start of the meeting was delayed due to the late finish of the Stakeholder Panel)

PRESENT:

Councillor: Y Gagen (Chairman)
I Moran (Vice-Chairman)

Councillors: I Ashcroft
D Westley
K Wright

Officers: Ms K Webber, Chief Executive
Ms J Woods, Head of Human Resources and Organisational
Development (Interim)
Mrs J Denning, Assistant Member Services Manager

In attendance: Mr K Power, North West Employers

21 **APOLOGIES**

There were no apologies for absence.

22 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the membership of the Committee.

23 **URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN**

There were no items of urgent business.

24 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

25 **MINUTES**

RESOLVED That the minutes of the meeting held on 2 November 2016 be received as a correct record and signed by the Chairman.

26 **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 involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that 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.

27 RECRUITMENT TO POSTS OF DIRECTOR OF HOUSING AND INCLUSION AND DIRECTOR OF STREET SCENE

The Committee received a presentation from North West Employers which provided a summary of the results of the group exercise test, the written exercise and stakeholder panel undertaken earlier in the day and provided the scores and feedback given to each of the Candidates for Members to consider who should be put forward for interview on the following day (10 November 2016).

It was noted that Candidate 3 for the Director of Housing and Inclusion post had withdrawn.

RESOLVED: That the following Candidates be agreed for interview on 10 November 2016:

- (i) Director of Housing and Inclusion – Candidates 4, 13 and 7.
- (ii) Director of Street Scene – Candidates 5, 20 and 11.

.....
Chairman

CHIEF OFFICERS COMMITTEE

HELD: Thursday, 10 November 2016

Start: 9.00 am

Finish: 4.30 pm

PRESENT:

Councillor: Y Gagen (Chairman)
I Moran (Vice-Chairman)

Councillors: I Ashcroft
D Westley

Officers: Ms K Webber, Chief Executive
Ms J Woods, Head of Human Resources and Organisational
Development (Interim)
Mrs J Denning, Assistant Member Services Manager

28 APOLOGIES

An apology for absence was received on behalf of Councillor Wright.

29 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

30 URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

31 DECLARATIONS OF INTEREST

There were no declarations of interest.

32 MINUTES

RESOLVED That the minutes of the meeting held on 9 November 2016 be received as a correct record and signed by the Chairman.

33 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 involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that 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.

34 RECRUITMENT TO POSTS OF DIRECTOR OF HOUSING AND INCLUSION AND DIRECTOR OF STREET SCENE

The Committee carried out the following interviews:

1. Director of Housing and Inclusion – Candidates 4, 13 and 7.
2. Director of Street Scene – Candidates 5, 20 and 11.

Each of the Candidates gave a 10 minute presentation and the same interview questions were put to all candidates. The interview questions and which Committee member was asking which question had been agreed at a previous meeting.

At the conclusion of the interviews the Committee gave consideration to the selection of the most appropriate candidates for appointment to the two posts. In this respect, the Committee, with assistance and advice from the Chief Executive and the Head of Human Resources and Organisational Development (Interim) assessed each of the candidates interviewed to determine their respective performances during the interview, the quality of their presentation and their relative experience, knowledge and skills against the Job Description and Person Specification relating to the two posts.

Members noted that at the close of the meeting, the Chief Executive would arrange for candidates to be contacted to advise them of the Committee’s decision.

- RESOLVED
- A. That Candidate 4 be offered the post of Director of Housing and Inclusion.
 - B. That Candidate 11 be offered the post of Director of Street Scene.
 - C. That should the offer at B above not be accepted, an offer be made to Candidate 20.

.....
Chairman

Agenda Item 7e

PLANNING COMMITTEE

HELD: 10 NOVEMBER 2016

Start: 7.30pm

Finish: 8.40pm

PRESENT:

Councillor: G Dowling (Chairman)

Councillors:	I Ashcroft	Mrs P Baybutt
	Cooper	T Devine
	D Evans	D McKay
	J Mee	M Nixon
	D O'Toole	R Pendleton
	E Pope	A Pritchard
	D Westley	A Yates

In Attendance: Councillor J. Hodson (Portfolio Holder for Planning)
Councillor Cotterill (Bickerstaffe Ward)

Officers: Director of Development and Regeneration (Mr. J.Harrison)
Head of Development Management (Mrs. C. Thomas)
Principal Planning Officer (Ms. A. Veevers)
Legal and Member Services Manager (Mr. M. Jones)
Legal Services/Civic Support Officer (Mrs. J.A. Ryan)

38 APOLOGIES

There were no apologies for absence received.

39 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule No. 4, the Committee noted the termination of Councillors C. Marshall and Mrs. M. Westley and the appointments of Councillors D. Westley and Mee for this meeting only, thereby giving effect to the wishes of the Political Groups.

40 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

41 DECLARATIONS OF INTEREST

In line with Section 17.1 of the Constitution, the Officer's Code of Conduct, the Head of Development Management, Mrs. C. Thomas declared an interest in respect of planning application 0878/FUL relating to the Store and Premises, 30A Scarth Hill Lane, Aughton as the agent is known to her personally and stated that she would leave the Chamber during consideration of this item.

42 DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

43 MINUTES

RESOLVED: That the minutes of the meeting held on the 6 October 2016 be approved as a correct record and signed by the Chairman.

44 PLANNING APPLICATIONS

The Director of Development and Regeneration submitted a report on planning applications (all prefixed 2016 unless otherwise stated) as contained on pages 660 to 843 and on pages 853 to 856 detailing late information and additional late information on pages 861 to 862.

RESOLVED A: That the under-mentioned planning applications be approved subject to the conditions in the report:

0668/FUL; 0941/WL3;

B. That planning application 2015/1055/FUL relating to Land to the West, Cabin Lane, Great Altcar be refused for the following reasons:-

1. The proposed development constitutes inappropriate development within the Green Belt which would be harmful to the Green Belt by definition, contrary to the National Planning Policy Framework and Policy GN1 in the West Lancashire Local Plan Development Plan Document 2012-2027. In addition the proposed development would have a significant adverse impact upon the openness of the Green Belt and conflict with one of the purposes of including land in the Green Belt, aimed at safeguarding the countryside from encroachment. The very special circumstances advanced in favour of the proposed development, namely the provision of renewable energy, are considered insufficient to outweigh this harm.
2. By virtue of its siting, height and scale the proposed development would be harmful to the visual amenity and landscape character of this part of the Green Belt contrary to the National Planning Policy Framework, Policies GN3 and EN2 of the West Lancashire Local Plan Development Plan Document 2012-2027 and the Council's Supplementary Planning Guidance "Natural Areas and Areas of Landscape History Importance".
3. The development of the proposed 12 turbines would due to their height, scale, proximity and extent cause harm to the significance, to the historic setting, of a number of designated heritage assets (Listed Buildings and Conservation Areas). The proposal in this respect fails to meet the statutory duty as required by Section 66(1) and Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990. The Council does not consider the stated public benefits, including the provision of renewable energy, outweigh the harm identified (less than substantial) to the designated heritage assets affected. The proposal is therefore contrary to the National Planning Policy Framework and Policy EN4 of the

adopted West Lancashire Local Plan Development Plan Document 2012-2027.

4. The proposed development conflicts with paragraph 118 of the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2010 (as amended) and Policy EN2 of the West Lancashire Local Plan Development Plan Document 2012-2027 in that insufficient information has been provided to demonstrate that the proposed development would not adversely affect internationally designated sites, their qualifying features and supporting habitat.
 5. The proposed development fails to comply with the National Planning Practice Guidance in that the site is not allocated as suitable for wind energy development in the West Lancashire Local Plan Development Plan Document 2012-2027 and the planning impacts identified by local communities in relation to the green belt, landscape character, heritage assets and ecology have not been fully addressed and therefore the proposal does not have their backing.
- C. That planning application 0176/FUL relating to Stanley Gate Nursery, Ormskirk be refused for the following reason:-

The proposed development constitutes inappropriate development in the Green Belt and reduces the openness of the Green Belt. This would be contrary to the advice given in the National Planning Policy Framework (NPPF). No very special circumstances have been identified which would outweigh the harm caused as the application has failed to establish an essential need for an agricultural workers dwelling on the unit. Notably, it has not been clearly demonstrated that there is a functional need for an agricultural worker to live permanently on the site, and financially, the profit is insufficient to support a sustainability viable business, contrary to paragraph 55 of the NPPF.

- D. That in respect of planning application 2015/0904/FUL relating to Burscough AFC, Victoria Park, Members noted that this item had been withdraw from the Agenda by Officers as further information had been received from the tenant farmer which indicated that there may be some issues in the provision of the mitigation land for pink footed geese and this required further consideration.
- E That planning application 0878/FUL relating to the Store and Premises, 30A Scarth Hill Lane, Aughton be approved subject to the conditions as set out on pages792 to 795 of the Book of Reports but subject to Condition 4 being amended to read:-

Condition 4

Within 9 months from the date when any part of the development hereby approved is first brought into use the approved landscaping scheme shall be carried out. All trees and shrubs planted shall comply with BS.3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed

- date of planting.
- E. That planning application 0787/COU relating to Moss Bridge Barn, Moss Bridge Lane, Lathom be approved subject to the deletion of Condition 2 as noted on page 856 of the Late Information.

(Notes:

1. In accordance with the procedure for public speaking on planning applications on this Committee, members of the public spoke in connection with application nos. 2015/1055/FUL.
2. Councillor Cotterill spoke in connection with planning application no. 0176/FUL relating to Stanley Gate Nursery, Ormskirk Road, Bickerstaffe.
3. Parish Councillor Kevin Sharpe of Ince Blundell Parish Council spoke in connection planning application 2015/1055/FUL relating to Land to the West, Cabin Lane, Great Altcar.
4. In line with Section 17.1 of the Constitution, the Officer's Code of Conduct, the Head of Development Manager, Mrs. C. Thomas declared an interest in respect of planning application 0878/FUL relating to Store and Premises, 30A Scarth Hill Lane, Aughton as the agent is known to her personally and accordingly she left the Chamber during consideration of this item.

.....
CHAIRMAN

Agenda Item 8



CABINET: 08 November 2016

EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
24 November 2016

COUNCIL: 14th December 2016

Report of: Borough Treasurer

Relevant Portfolio Holder: Councillor C. Wynn and Councillor J. Patterson

Contact for further information: Liz Fearn (Ext. 5605)
(E-mail: liz.fearn@westlancs.gov.uk)

SUBJECT: REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2016/2017

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To agree a Revised Capital Programme for 2016/2017 and provide Members with an overview on the progress against it at the mid-year point.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the Revised Capital Programme, including the re-profiling, virements and budget adjustments contained within Appendix A, be approved for consideration by Council.

2.2 That the progress against the Revised Capital Programme at the mid-year point be noted.

2.3 That Call In is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 24th November and Council on 14th December.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That the Revised Capital Programme and progress against it at the mid-year point be noted.

4.0 RECOMMENDATIONS TO COUNCIL

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

- 4.2 That progress against the Revised Capital Programme at the mid-year point be noted.
-

5.0 BACKGROUND

- 5.1 The GRA Capital Programme is set on a three-year rolling basis and the Programmes for 2016/2017, 2017/2018 and 2018/2019 were approved by Council in February 2016. A one year HRA Capital Programme was agreed by Council in February 2016 as a result of the difficult financial position facing the HRA. This programme will be reviewed in the light of the HRA Policy Options report agreed by Council in October 2016.
- 5.2 In accordance with best practice, the Capital Programme is subject to revision at the mid-year point to ensure that it is based on the latest available information and to make monitoring of the Programme more meaningful. It enables Managers to review their schemes with the most up to date information and to review the resources available. It also provides a base upon which to build future Capital Programmes.
- 5.3 Members are kept informed of the financial position of the Capital Programme through regular monitoring reports. The last such report was presented to Cabinet in September 2016 and reported on a total Capital Programme of £21.569m for 2016/2017. This comprised a GRA Programme of £5.734m and a Housing Public Sector Capital Programme of £15.835m.

6.0 REVISED CAPITAL PROGRAMME

- 6.1 Heads of Service have reviewed their respective schemes and are now proposing that changes are made as a result of more up to date information that has become available. This review process has incorporated a number of considerations including:
- Re-profiling of schemes
 - Changes to external funding availability
 - Levels of anticipated funding required and available
 - Anticipated levels of demand
- 6.2 The proposed changes to the 2016/2017 Programme are analysed in Appendix A. This shows an overall increase of £2.082m for the GRA, primarily as a result of the inclusion of the purchase of the Wheatsheaf Walk site in Ormskirk, which was agreed by Council in May 2016.
- 6.3 The revised GRA Capital Programme totals £7.816m for 2016/2017 following these changes. This is analysed by service in Appendix B along with a summary of the revised capital resources available.
- 6.4 The proposed changes to the HRA would reduce the size of the programme from £15.835m to £14.750m, primarily as the result of re-profiling expenditure on the Bathroom replacement scheme into the next financial year.

7.0 CAPITAL EXPENDITURE

- 7.1 Generally, capital schemes are profiled with relatively low spending compared to budget in the early part of the financial year with increased spending as the year progresses. This reflects the fact that many new schemes have considerable lead in times, for example, because of the need to undertake the tendering process and award contracts at the start of the scheme. Other schemes are dependent on external partner funding and schemes can only begin once their funding details have been finalised. Other schemes include contract retentions or contingencies that will only be spent some time after completion of the contract. Most schemes then progress and spend in line with their approval by the year end.
- 7.2 For the current year, £4.581m (59%) of expenditure has been incurred by the mid-year. This is higher than the position of the previous 3 financial years due to £3.014m expenditure on the Wheadsheaf Walk site purchase. It is anticipated that most schemes will be largely completed by the end of the financial year. Comparisons to previous years' programmes are shown in Table 1.

Year	Expenditure £m	Budget £m	% spend against Budget
2016/2017	4.581	7.816	59%
2015/2016	2.177	10.127	21%
2014/2015	0.795	3.467	23%
2013/2014	1.057	4.421	24%

- 7.3 Appendix B details spending on the HRA Capital Programme by scheme. This shows total spending of £4.749m by September 2016, which represents 32% of the total budget for the year. In the previous year spending was £4.823m or 29% by the mid year point.
- 7.4 Appendix C provides Heads of Service comments on the progress of schemes against the revised programme.

8.0 CAPITAL RESOURCES

- 8.1 There are sufficient resources identified to fund the 2016/2017 Revised Capital Programme as shown in Appendix B.
- 8.2 The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy legislation) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold.
- 8.3 The budget for useable capital receipts to be generated from Council House sales in the year is set at £0.480m from 30 sales. However at the mid-year point 36 sales had been completed generating £0.656 m of useable capital receipts.
- 8.4 Retained proceeds generated by Council House sales are now split between general useable capital receipts (detailed above), and one for one Replacement

funding. At the mid year point £0.188m of additional 141 funding has also been generated, which can only be used on new housing schemes.

8.5 In addition to receipts from council house sales the Council also has a programme to sell plots of its land and other assets under the Strategic Asset Management Plan (SAMP). The budget for this in the 2016/2017 Programme is £550,000. To date there has been 5 land sales generating £146,000.

8.6 Useable Capital Receipts generated to date are analysed in Table 2:

Category	Estimate £'000	Actual £'000	% Received against Budget
Right to Buy Sales	480	656	137%
SAMP Sales	550	146	27%
Total	1030	802	78%

8.7 The level of receipts generated at the mid-year point is above the budget target to date, and consequently it can be expected that the budget target for the year will be exceeded.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

9.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. Individual project plans address sustainability and Community Strategy issues and links to Corporate Priorities. The Capital Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital investment plans are affordable, prudent, and sustainable. This report provides an updated position on project plans and shows progress against them.

10.0 RISK ASSESSMENT

10.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. Schemes within the Programme that are reliant on external contributions and/or decisions are not started until funding is secured. Other resources that are subject to fluctuations are monitored closely to ensure availability. The Capital receipts position is scrutinized on a regular basis and managed over the medium term to mitigate the risk of unfunded capital expenditure.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The majority of the budget issues set out in this report have been the subject of previous reports to committees and consequently an Equality Impact Assessment has already been prepared for them where relevant.

Appendices

- A Summary of changes to the 2016/2017 GRA Capital Programme
- B 2016/2017 Revised GRA Capital Programme Expenditure and Resource Budgets and Mid Year Performance
- C Heads of Service Comments
- D Minute of Cabinet 8 November 2016 (Executive Overview and Scrutiny Committee and Council only)
- E Minute of Executive Overview and Scrutiny Committee 24 November 2016 (Council only)

GRA 2016/2017 REVISED CAPITAL PROGRAMME
SUMMARY OF CHANGES

SCHEME	REASON FOR AMENDMENT	2016/17	2017/18	2018/19
		£'000	£'000	£'000
<u>Capital programme totals included in report to Cabinet in September 2016</u>		5734	805	805
<u>Re-profiled Expenditure</u>				
Renovation Grants	Demand reduced following a change in qualifying criteria.	-40	40	
Disabled Facilities Grants	Allocation not required in current year due to change in overall funding of DFGs	-89	89	
Bowling Greens	Retention for scheme.	-11	11	
Sports fields (Abbey Lane playing fields)	Retention on drainage works.	-20	20	
Park Pool changing room refurbishment	On hold pending development of leisure strategy.	-150	150	
WL Play strategy improvements	Upgrades to Stanley Coronation Park dependent on match funding being available.	-30	30	
Play Area Improvements (Hesketh Avenue MUGA)	Consultation delayed pending new house builds.	-40	40	
CCTV Phase 3	Retention	-3	3	
		-383	383	0

GRA 2016/2017 REVISED CAPITAL PROGRAMME
SUMMARY OF CHANGES

<u>Other Adjustments</u>		
Call Centre	Merged to support the move to the new CRM system and meeting PSN compliance.	-18
Website Contract Management System	Funding transferred to CRM Scheme to support mobile friendly functionality.	-23
CRM Management System	Merged to support the move to the new CRM system and meeting PSN compliance.	18
ICT Development	Contribution to Gallery Website project	-5
Website Contract Management System	Development of Gallery Website	10
Dock Brook	Additional payments identified. Funded by Government Grant.	2
Play Area Improvements (Chequers Lane play area)	Final phase of project.	10
<u>Previously Approved Adjustments now included in the Capital Programme</u>		
Allotments	New scheme approved at Cabinet for second site in Skelmersdale funded by CIL.	20
Play Area Improvement (Crawford Village Play Equipment)	Grant towards new play equipment in Crawford Village funded by S106.	9
Parks and Open Spaces (Burscough Brick pits)	Public Open Space enhancements on former landfill site at Mill Dam Lane funded by S106.	12
Disabled Facilities Grants	Allocation not required due to change in overall funding of DFGs	-100
Acquisition of Land Buildings	Purchase of the Wheatsheaf Walk site.	3014
Unallocated Funding	Removal of funding agreed at Council in February 2016.	-484
<u>Total Expenditure Adjustments</u>		2082
		406
		0

GRA 2016/2017 REVISED CAPITAL PROGRAMME
SUMMARY OF CHANGES

<u>Funded By:</u>			
Re-profiling		-383	383
Strategic Investment fund		500	
Changes to Capital Receipts		-484	
Unallocated spend from Revenue 2015/16		329	
Changes in Grant funding		2	
Changes to Revenue Funding		5	
Changes to Prudential Borrowing		2085	
Section 106 funding		31	
CIL		20	
Other		-23	23
		2082	383
			0
<u>Revised Capital Programme totals</u>		7,816	1,188
			805

APPENDIX A - HRA 2016/17 REVISED CAPITAL PROGRAMME SUMMARY OF CHANGES

Scheme	Current Budget £000	Re-Profiling £000	Virements £000	No Longer required £000	Revised Budget £000	Commentary
FIRBECK REVIVAL	2,767		-630		2,137	Virement to Beechtrees revival project to part finance additional resource requirements
KITCHEN REPLACEMENTS	2,315				2,315	
BATHROOM REPLACEMENT	2,175	-1,075			1,100	Will be delivered in 2017-18
HEATING SYSTEM UPGRADES & HEAT METERS	1,675				1,675	
UPVC WINDOW REPLACEMENT	927				927	
SHELTERED UPGRADES	793				793	
DISABLED ADAPTATIONS	780		-170	-10	600	Demand led budget not required in 2016-17 being allocated to support other schemes
PROFESSIONAL FEES	664				664	
BEECHTREES REVIVAL	568		630		1,198	Virement from Firbeck revival project to part finance additional resource requirements
WALLS	470				470	
ELECTRICAL UPGRADES	413		100		513	Additional budget to ensure delivery of electrical testing and some remedial electrical work
ENERGY EFFICIENCY MEASURES	317				317	
COMMUNAL AREAS IMPROVEMENTS	275		50		325	
CONTINGENCY	409				409	
LIFTS	231		-31		200	
STRUCTURAL WORKS	176		50		226	
EVENWOOD COURT RE-MODELLING	151				151	
INVEST. TO DELIVER OR RECOMMENDATIONS	125				125	
GARAGE IMPROVEMENTS	113				113	
ENVIRONMENTAL IMPROVEMENTS	125				125	
RE ROOFING WORKS	88				88	
LAUNDRY EQUIPMENT	53		-18		35	
WHEELIE BIN STORAGE IMPROVEMENTS	39				39	
PENNINGTON AVENUE SHELTERED PROPERTY	30				30	
REPLACEMENT OF BALCONY SURFACES & ASSOCIATED WORKS	54		-14		40	
UPGRADE COMMUNAL DOOR ENTRY SYSTEMS	28				28	
WINDOW REPLACEMENT, BEACON CROSSING	25		-7		18	
DIGITAL INCLUSION INITIATIVES	19				19	
PAINTING & RENDERING "NO FINES" PROPERTY	15				15	
ROOF SPACES IN SHELTERED PROPERTIES	10				10	
STUBB BLOCK REFURBISHMENT EGERTON/ENSTONE	5				5	
FLOOD RESILIENCE	0		40		40	
Total Expenditure	15,835	-1,075	0	-10	14,750	

APPENDIX A - HRA 2016/17 REVISED CAPITAL PROGRAMME SUMMARY OF CHANGES

Funding of Programme	Current Budget	Re-Profiling	Virements	No Longer required	Revised Budget
HRA Funding	7,817				7,817
Borrowing	8,018	-1,075		-10	6,933
Total Funding	15,835	-1,075	0	-10	14,750

**GRA 2016/2017 CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
as at MID-YEAR**

Service	Budget Approval	Actual		Variance	
	£'000	£'000	%	£'000	%
EXPENDITURE					
Central Items					
Financial Services	61	0	0%	61	100%
Central Schemes	315	1	0%	314	100%
Leisure and Wellbeing					
Leisure and Wellbeing - General	967	501	52%	466	48%
Housing Private Sector	1,066	241	23%	825	77%
Development and Regeneration					
Planning	86	3	3%	83	97%
Technical Services	111	19	17%	92	83%
Regeneration & Estates	3,834	3,717	97%	117	3%
Housing Strategy	398	0	0%	398	100%
Housing and Inclusion					
Corporate Property	286	91	32%	195	68%
Transformation	692	8	1%	684	99%
	7,816	4,581	59%	3,235	41%
RESOURCES					
Strategic Investment Fund	500				
CIL	20				
Capital Grants	1,345				
HRA	111				
GRA Reserve	621				
GRA Prudential Borrowing	2,905				
Capital Receipts	2,314				
	7,816				

APPENDIX B - HRA CAPITAL EXPENDITURE AND BUDGETS IN SEPTEMBER 2016

Scheme	Revised Budget	Mid Year Spend	Variance	Mid Year Spend
	£000	£000	£000	%
FIRBECK REVIVAL	2,137	1,440	697	67%
KITCHEN REPLACEMENTS	2,315	483	1,832	21%
BATHROOM REPLACEMENT	1,100	166	934	15%
HEATING SYSTEM UPGRADES & HEAT METERS	1,675	677	998	40%
UPVC WINDOW REPLACEMENT	927	155	772	17%
SHELTERED UPGRADES	793	172	621	22%
DISABLED ADAPTATIONS	600	170	430	28%
PROFESSIONAL FEES	664	279	385	42%
BEECHTREES REVIVAL	1,198	146	1,052	12%
WALLS	470	0	470	0%
ELECTRICAL UPGRADES	513	43	470	8%
ENERGY EFFICIENCY MEASURES	317	284	33	90%
COMMUNAL AREAS IMPROVEMENTS	325	94	231	29%
CONTINGENCY AND OTHER MISCELLANEOUS SYSTEMS	414	193	221	47%
LIFTS	200	152	48	76%
STRUCTURAL WORKS	226	77	149	34%
EVENWOOD COURT RE-MODELLING	151	126	25	83%
INVEST. TO DELIVER OR RECOMMENDATIONS	125	32	93	26%
GARAGE IMPROVEMENTS	113	0	113	0%
ENVIRONMENTAL IMPROVEMENTS	125	1	124	1%
RE ROOFING WORKS	88	0	88	0%
LAUNDRY EQUIPMENT	35	0	35	0%
WHEELIE BIN STORAGE IMPROVEMENTS	39	20	19	51%
PENNINGTON AVENUE SHELTERED PROPERTY	30	0	30	0%
REPLACEMENT OF BALCONY SURFACES	40	29	11	73%
UPGRADE COMMUNAL DOOR ENTRY SYSTEMS	28	0	28	0%
WINDOW REPLACEMENT, BEACON CROSSING	18	0	18	0%
DIGITAL INCLUSION INITIATIVES	19	2	17	11%
PAINTING & RENDERING "NO FINES" PROPERTY	15	0	15	0%
ROOF SPACES IN SHELTERED PROPERTIES	10	8	2	80%
FLOOD RESILIENCE	40	0	40	0%
Total Expenditure	14,750	4,749	10,001	32%

REVISED CAPITAL PROGRAMME 2016/2017
HEADS OF SERVICE COMMENTS

Corporate Property
Works are progressing well and we expect to complete our planned expenditure for this financial year.
Transformation
<p>The Call Centre System has been merged into the CRM Replacement System where preparatory works are progressing and the phasing of implementation is being discussed with BTLS. The initial phases of the Gallery Website project are being finalised with BTLS.</p> <p>The ICT Development budget funds an agreed ICT Strategy as well as service-specific developments as appropriate. No changes are proposed for this capital budget. Often projects with committed expenditure are lengthy and complex areas of work and may therefore run over certain financial years. Several key pieces of work are due to conclude this year. There has been significant progress with the ICT capital funded work during 2016/17 with benefits across the Council including:</p> <ul style="list-style-type: none"> • Public Sector Network (PSN) accreditation 2016 meeting standards set by government (which then, for example, enables us to continue to deliver the Revenues and Benefits Service) • Non-Microsoft application review of over 700 applications and 21,000 installs to help manage e.g. upgrade and licensing costs • Migration, destruction or archiving of databases for the new SQL Server • Work on establishing new access for public and corporate Wi-Fi • Council finance system upgrade (Civica Financials)
Housing Public Sector
Expenditure on the Housing Public Sector capital programme is progressing steadily and is slightly higher than at the same point last year. Details on spending against individual schemes is set out in Appendix B.

REVISED CAPITAL PROGRAMME 2016/2017
HEADS OF SERVICE COMMENTS

Housing Strategy

The Affordable Housing budget is committed to our Partnership with Regenda Housing Group. Three sites have now been completed resulting in 47 units being developed. A fourth scheme consisting of 14 units is currently being built and estimated to complete in March / April 2017.

The partnership has helped attract £1.5m to date of additional HCA investment to our Borough. New Homes Bonus at the higher rate will also be achieved when the affordable units are completed.

Regeneration and Estates

The Greenshoots units are nearing completion and will be commissioned in the Autumn of 2016. Four units have been pre-let and this represents more than 50% of the lettable square footage.

The Wheatsheaf Walks retail units were purchased earlier in the year for £3.014m. A review of the units has been undertaken with property services to gauge their condition and to establish a programme of improvements to the units. The Council is awaiting the full service charge account from the vendor of Wheatsheaf Walks and until finalised this will hinder the progress of firming up a programme of improvements. Occupancy levels are good and there is firm interest in the empty units, one of these has progressed to the point of agreeing terms and obtaining references.

The procurement of a contractor for the Gorsey Place rebuild project is nearly completed, although the loss adjusters have raised a number of queries on the rebuild details prior to finalisation. Once this is completed work can commence and it is envisaged this will go into the next calendar year.

REVISED CAPITAL PROGRAMME 2016/2017
HEADS OF SERVICE COMMENTS

Planning

The free tree scheme runs in October and November and expenditure is expected to be in line with the budget.

The CIL/S106 database has been implemented with further plans this year to interface with the land charges system.

Additional scanning equipment will be needed to support the EDM system with plans in place to provide this by the end of the year.

Expenditure on implementing the OR recommendations is dependent upon the Planning ICT upgrade, and the budget is expected to be spent.

To date, there is no expenditure against the Skelmersdale Vision programme with delays due to legal issues. There will be a variety of potential costs associated with moving the project forward.

All remaining planning schemes are demand led and as yet there are no commitments for buildings at risk, and conservation area enhancement grants expenditure is below expected budget spend to date.

Technical Services

Works will be completed before the end of the financial year on Dock Brook, Abbey Brook and East Quarry.

Retentions are outstanding on Ormskirk Car Park Improvements.

REVISED CAPITAL PROGRAMME 2016/2017
HEADS OF SERVICE COMMENTS

<p>Leisure and Wellbeing - Private Sector Housing</p>
<p>The funding for Disabled Facilities Grants has changed for the current year and plans are being put into place to spend the allocations in accordance with new criteria. Demand has reduced for Renovation Grants but the remaining budget should be spent in year.</p>
<p>Other Leisure and Wellbeing</p>
<p>Works will be completed before the end of the financial year on Richmond Park, Allotments, Leisure Trust, Parish Council Play Area Grants, Chequer Lane Play Area, Station Approach, Playing Fields and Beacon Park Entrance Road.</p> <p>Retentions have been re-profiled on Ormskirk Bowling Green, Abbey Lane Playing Field Drainage, and CCTV although works will mainly be completed this financial year.</p> <p>Works on the Play Strategy Programme may slip into the new financial year as some replacements are demand led. Works may also slip on the Gallery Lift Installation where project costings are being reviewed and finalised.</p>
<p>Financial Services</p>
<p>Expenditure on Parish Council Capital Grants is dependent on spending by Parish Councils and is not within the direct control of the Borough Council.</p>
<p>Central Schemes</p>
<p>This includes the Environmental/Town and village centre improvement fund which has been fully allocated to projects including support for the Economic Development Strategy and Skelmersdale Public Realm improvements.</p>

MINUTE OF CABINET – 8 NOVEMBER 2016

51 REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2016/17

Councillor Wynn introduced the report of the Borough Treasurer which sought agreement of a Revised Capital Programme and provided an overview on the progress against it at the mid-year point.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the Revised Capital Programme, including the re-profiling, virements and budget adjustments contained within Appendix A, be approved for consideration by Council.

(B) That the progress against the Revised Capital Programme at the mid-year point be noted.

(C) That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 24 November and Council on 14 December 2016.

**MINUTE OF EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE – 24
NOVEMBER 2016**

33 REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2016/2017

Consideration was given to the report of the Borough Treasurer that provided details on the Revised Capital Programme and Mid Year Review 2016/2017 and an overview on the progress against it at the mid-year point. The report had previously been considered by Cabinet on 8 November 2016 and was scheduled to be considered by Council at its meeting on 14 December 2016.

In discussion comments were made in relation to:

- Park Pool changing room refurbishment (on hold pending development of the leisure strategy) – effect of delay on quality of service to the public..

RESOLVED: That the Revised Capital Programme and progress against it at the mid-year point be noted.



COUNCIL: 14th December 2016

Report of: Borough Treasurer and Transformation Manager

Contact for further information: Marc Taylor (Extn. 5092)
(E-mail: marc.taylor@westlancs.gov.uk)

SUBJECT: APPOINTMENT OF EXTERNAL AUDITORS AND BUDGET UPDATE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To provide an update on a range of governance and budget matters.

2.0 RECOMMENDATIONS

- 2.1 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.
- 2.2 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.
- 2.3 That funding of up to £25,000 be approved from the Major Projects Reserve towards works at Abbey Lakes, Up Holland if required.
- 2.4 That the existing Council Tax Support Scheme be continued for the next financial year.
-

3.0 BACKGROUND

3.1 This report covers a range of different matters including new rules for the appointment of external auditors, a number of current year budget issues, and the Local Council Tax Support Scheme.

- 3.2 The current system for appointing external auditors to local authorities comes to an end after the 2017/18 financial year. Consequently the Council now needs to consider what arrangements to put in place for appointing its external auditors for 2018/19 onwards.
- 3.3 The Government abolished the national scheme of Council Tax Benefit with effect from April 2013 and now requires that local authorities put in place a local Council Tax Reduction Scheme, more commonly known as a Council Tax Support (CTS) scheme. This requires each Council tax billing authority to design its own scheme to administer Council Tax Support, working within a framework set out in legislation. Each financial year the Council must consider whether to revise its existing scheme or replace it with another scheme. If it chooses to revise its existing scheme, or replace that scheme with another scheme, it must do so no later than 31 January in the financial year preceding the financial year the scheme is to have effect.

4.0 APPOINTMENT OF EXTERNAL AUDITORS

- 4.1 The Local Audit and Accountability Act 2014 has introduced new rules that require the Council to make decisions about how its external auditors should be appointed. These decisions need to be made by December 2017 so that an auditor is in place before the start of the 2018/19 financial year. There are three main routes that can be used to make this decision as follows:

- Establish an independent auditor panel to make the appointment;
- Join with other authorities to establish a joint auditor panel constituted wholly or with a majority of independent appointees;
- Opt into a sector led body that will make appointments on behalf of its member authorities. This sector led body is called Public Sector Auditor Appointments (PSAA), which is as an independent, not-for-profit company limited by guarantee and established by the Local Government Association.

- 4.2 PSAA is inviting the Council to opt in, along with all other authorities, so that it can enter into a number of contracts with appropriately qualified audit firms and appoint a suitable firm to be the Council's auditor. PSAA has wide support across local government and many authorities are expected to choose this route. A sector-wide procurement conducted by PSAA will produce better outcomes and will be less burdensome for the Council than any procurement undertaken locally. More specifically:

- The audit costs are likely to be lower than if the Council sought to appoint locally, as national large-scale contracts are expected to drive keener prices from the audit firms;
- Without the national appointment, the Council would need to establish a separate independent auditor panel, which would involve an additional resource requirement;
- PSAA can ensure the appointed auditor meets and maintains the required quality standards and can manage any potential conflicts of interest more easily than the Council;

- Supporting the sector-led body will help to ensure there is a vibrant public audit market for the benefit of the whole sector and this Council going forward into the medium and long term.

4.3 Not all audit firms will be eligible to compete for the work, as they will need to demonstrate that they have the required skills and experience and be registered with a Registered Supervising Body approved by the Financial Reporting Council. Currently, there are only nine providers that are eligible to audit local authorities and other relevant bodies, all of these being firms with a national presence. This means that local firms could not be invited to bid.

4.4 The Council's current external auditors are Grant Thornton and their annual audit fee is £43,746. The fees under the new approach will not be known until the procurement process has been completed, as the costs will depend on proposals from the audit firms.

5.0 CURRENT YEAR BUDGET ISSUES

5.1 The Council currently offers a supplement to its staff to ensure their earnings are at the Living Wage threshold as a minimum level. Each year the Living Wage Foundation announces any changes to this wage as part of its Living Wage week at the start of November. This year it has been announced that the level of the Living Wage should increase from £8.25 per hour to £8.45 per hour.

5.2 The Borough Treasurer has used his delegated authority to implement this increase in the Voluntary Living Wage from 1st December. This change will benefit 32 mostly part time staff and will result in an additional cost of just over £2,000 this year.

5.3 Abbey Lakes is a small lake on the boundary of Up Holland and Orrell, and the West Lancashire and Wigan Districts. The lake is in private ownership but leased to West Lancashire Borough Council to increase the level of informal recreation provision for the local community in the Up Holland area. There have been a number of issues with water levels at this site as a result of heavy rainfall and investigatory work is being undertaken to examine these matters. Consequently it is proposed to allocate a budget of up to £25,000 for works to address this position should it be needed. The cost of any works identified as being necessary can be funded from the Major Projects Reserve, and will ensure that we continue to meet our responsibilities for this site.

6.0 LOCAL COUNCIL TAX SUPPORT SCHEME

6.1 The Council agreed its local CTS scheme in December 2012, and this scheme has been in operation since that time. The main feature of this scheme is that it calculates CTS in line with the previous Council Tax Benefit system but then applies a percentage reduction of 22% for claimants of working age, which was designed to reflect the reduction in government funding for CTS. Full details on the scheme can be found on the Council's website using the following link:

<http://www.westlancs.gov.uk/bills-benefits/benefits/council-tax-support.aspx>

- 6.2 The CTS scheme complies with statutory requirements and operates in an effective manner, and consequently no revisions are proposed to this scheme for the next financial year. Any values in the scheme will though be updated to reflect changes in national benefit figures in line with our standard practices.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

8.0 RISK ASSESSMENT

- 8.1 The Council must appoint an external auditor in accordance with the new framework and must ensure that this process delivers good value for money. These risks are considered best mitigated by opting in to the sector led approach through PSAA.
- 8.2 The Council must agree a CTS scheme by the 31st January before the start of each financial year, and if it does not a default government scheme must be implemented.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

These decisions do not have any direct impact on members of the public, employees, elected members and / or stakeholders, or have been the subject of previous reports. Therefore no Equality Impact Assessment is required.

Appendices

None



COUNCIL: 14 December 2016

Report of: Borough Solicitor

Contact for further information: Mrs J Denning (Extn. 5384)
(E-mail: jacky.denning@westlancs.gov.uk)

SUBJECT: APPOINTMENT OF VICE-CHAIRMAN OF PLANNING COMMITTEE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To appoint the Vice-Chairman of the Planning Committee

2.0 RECOMMENDATION

2.1 That a Councillor, who is a Member of the Planning Committee, be appointed Vice Chairman of the Planning Committee for the remainder of the 2016/17 Municipal Year.

3.0 BACKGROUND AND CURRENT POSITION

3.1 Council Procedure Rule 1.1(x) provides that the Annual Meeting will appoint Chairmen and Vice-Chairmen of Committees for the ensuing Municipal Year.

3.2 At the Annual Meeting of the Council on 18 May 2016, Councillor Owen was appointed Vice-Chairman of the Planning Committee. This position has now become vacant as a result of Councillor Owen no longer being appointed to the Planning Committee.

4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

4.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are no financial implications arising from this report.

6.0 RISK ASSESSMENT

6.1 This report meets the requirements set out in the Council's Constitution.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

None.



COUNCIL: 14 December 2016

Report of: Borough Solicitor

Contact for further information: Mrs J Denning (Extn. 5384)
(E-mail: jacky.denning@westlancs.gov.uk)

SUBJECT: EXECUTIVE DECISIONS – SPECIAL URGENCY

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise 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 to provide relevant details of these.

2.0 RECOMMENDATION

2.1 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.

3.0 ACCESS TO INFORMATION PROCEDURES

3.1 In accordance with Access to Information Procedures, Key Decisions undertaken by the Executive (Cabinet) must be included on the Forward Plan. If the matter has not been included on the Forward Plan, Procedure Rule 15 (General Exception) still allows the decision to be taken when the specified safeguards are met.

3.2 Access to Information Procedure Rule 16 (Special Urgency) states:

“If by virtue of the date by which a decision must be taken Rule 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual), the Leader (if the Cabinet is making the decision) or the Chairman of the body making the decision:

- (a) obtains the agreement of the Chairman of a relevant Overview and Scrutiny Committee; or
- if there is no Chairman of the relevant Overview and Scrutiny Committee; or
- if the Chairman of each relevant Overview and Scrutiny Committee is unable to act, then the agreement of the Chairman of the Council (the

Mayor), or in his/her absence the Vice Chairman (the Deputy Mayor) that the making of the decision is urgent and cannot reasonably be deferred; and

- (b) makes available on the Council's website and at the Offices of the Council a notice setting out the reasons that the meeting/decision is urgent and cannot reasonably be deferred."

3.3 In accordance with the 'Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, any decisions taken under 'Special Urgency' must be reported to Council annually.

3.4 I can advise that Procedure Rule 16 (Special Urgency) was exercised twice in the period 1 December 2015 to 30 November 2016.

3.4.1 The first item considered on 2 February 2016 was in relation to a joint report from the Interim Borough Solicitor and the Interim Director Housing and Regeneration in respect of "Request for Funds – Opposition to Extension of Whitemoss Landfill Site, Skelmersdale." This item could not reasonably be deferred due to a late request for funding to enable representation at a Court hearing on 16 February 2016.

3.4.2 The second item considered on 13 September 2016 was in relation to a joint report from the Director of Development and Regeneration and the Borough Solicitor in relation to a Planning Appeal Decision Regarding Land to the East of Prescott Road, Aughton, as this item could not reasonably be deferred as the matters concerned a potential legal challenge, under Section 288 of the Town and Planning Act 1990, to a decision of the Secretary of State's Planning Inspectorate, with strict time limits, expiring on 29 September 2016, which was not capable of being met if a decision was delayed.

4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

4.1 There are no significant sustainability impacts associated with this report and no significant impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are no significant financial/resource implications arising from this report other than officer time in dealing with these matters.

6.0 RISK ASSESSMENT

6.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

None.

