

COUNCIL**HELD: Wednesday, 26 April 2017**

Start: 7.30pm

Finish: 8.35pm

PRESENT:

Councillors:

L Savage (Mayor)

T Aldridge

M Barron

Mrs M Blake

J Bullock

C Cooper

S Currie

N Delaney

G Dowling

D Evans

J Gordon

N Hennessy

J Hodson

D McKay

Mrs J Marshall

R Melling

P Moon

D O'Toole

A Owens

R Pendleton

D West

Mrs M Westley

K Wilkie

C Wynn

N Furey (Deputy Mayor)

I Ashcroft

Mrs P Baybutt

T Blane

J Cairns

P Cotterill

J Davis

T Devine

C Evans

Y Gagen

P Greenall

G Hodson

J Kay

C Marshall

J Mee

M Mills

M Nixon

G Owen

J Patterson

A Pritchard

D Westley

D Whittington

K Wright

A Yates

Officers:

Kim Webber, Chief Executive

Dave Tilleray, Director of Leisure and Wellbeing

Jacqui Sinnott-Lacey, Director of Housing and Inclusion

John Harrison, Director of Development and Regeneration

Heidi McDougall, Director of Street Scene

Marc Taylor, Borough Treasurer

Shaun Walsh, Borough Transformation Manager & Deputy
Director of Housing and Inclusion

Terry Broderick, Borough Solicitor

Jacky Denning, Assistant Member Services Manager

98 **PRAYERS**

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

99 **APOLOGIES**

Apologies for absence were received on behalf of Councillors Hudson, Moran and Pryce-Roberts.

100 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Aldridge, Barron, Hennessy, O'Toole and Westley declared a non pecuniary interest in relation to agenda item 8 'Council Plan 2017/18' and Item 9(b) 'Drainage and Flooding Cabinet Working Group – Motion', as Members of Lancashire County Council (LCC), as did Councillors Gagen and McKay as employees of LCC.
2. Councillors Ashcroft, Barron, Mrs Blake, Blane, Gordon, Kay, Mrs Marshall, Mee, Pope and Whittington declared a non pecuniary interest in relation to agenda item 8 'Council Plan 2017/8' as Members of a Parish Council.

101 MINUTES

RESOLVED: That the minutes of the meeting held on Wednesday, 22 February 2017, be approved as a correct record and signed by the Mayor.

102 ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE

There were no items under this heading, however a Petition: No 'Search and Fine' Cameras on Council Run Car Parks, was submitted by Councillor Owens.

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

The following question was received and the response detailed below was circulated at the meeting:

Question from Councillor Greenall

"Charges for the collection of green waste start in June. Households have recently been advised that those not wishing to pay this charge, can keep their green bin as they or a future householder, may wish to pay for this service in future. However, this advice ignores the fact that many residents have already decided not to pay this extra charge and do not wish to retain their green bin.

Can the Leader therefore please advise those households who have no intention of paying this extra charge, how best they can dispose of their green bin?"

Response:

The reason behind asking residents to keep hold of the bin is two-fold. Firstly, the bin should stay with the property, for example if the property is sold to enable any future residents to take part in the service without the additional cost of purchasing a container. Secondly, the service is being introduced part way through the growing season and whilst some residents may not take up the service at the start of the

season they may change their minds as the season progresses. If a resident disposes of their container now and wants to sign up to the service in the future they not only have to pay the subscription charge (£30) but also have to pay for the cost of the bin (£23).

This advice is being given to help residents who decide not to take up the service initially to ensure, that they can adapt to disposing of their garden waste in an alternative way. When residents have found an alternative method that works for them and they are certain that they no longer need the bin the council will be happy to make arrangements collect it and where possible return it to stock for future use. To do this they should contact the Customer Services Advisors.

Experience from neighbouring authorities who have also introduced charges is that very few bins are returned.

104 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. Planning Committee held on Thursday, 9 February, 9 March and 13 April 2017.
- B. Standards Committee held on Tuesday, 21 March 2017.
- C. Audit and Governance Committee held on Tuesday, 28 March 2017.
- D. Licensing and Appeals Committee held on Tuesday, 4 April 2017.

105 COUNCIL PLAN 2017-18

Consideration was given to the report of the Chief Executive, as contained on pages 895 to 922 of the Book of Reports, which sought approval for the "Council Plan 2017-18".

RESOLVED: That the "Council Plan 2017-18", attached at Appendix A to the report, be adopted.

106 MOTIONS

The following Motions were considered at the request of the Members indicated:

107 **PROTECTION OF WORKERS' RIGHTS - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR PRITCHARD ON BEHALF OF THE LABOUR GROUP**

The following Motion was moved and seconded:

"That Council notes the intention of the government, set out in the Great Repeal Bill White Paper published March 30th 2017, to afford itself wide-ranging powers to use secondary legislation to "adapt converted EU law to fit the UK's post-exit circumstances." (para 3.13).

That, notwithstanding acceptance within the White Paper that "the purpose of the Great Repeal Bill and the secondary legislation is to convert EU law into UK law." (para 3.10), rather than to amend substance, Council is concerned that such a purpose may not hold true unless specific assurances are provided that secondary legislation (or so-called Henry VIII clauses) will not be misused;

That, in particular, Council wishes to seek assurance on behalf of the people of West Lancashire, that such secondary legislation will not be used, in a way which bypasses proper parliamentary scrutiny, to weaken the protections and rights for workers which are now embedded in EU law, but which in many cases reflect earlier successes by the trade union movement in establishing these rights and protections;

That, accordingly, the Chief Executive be instructed to write to the Secretary of State for Exiting the European Union and the Attorney General, seeking assurance from them that the forthcoming legislation will specifically exclude from the provisions enabling secondary legislation any power to change converted EU-law applying to workers' rights and protections through such secondary legislation;

Further, that the Chief Executive be instructed to write to other councils in Lancashire and the Liverpool City Region, inviting them to seek similar assurance on behalf of their citizens."

- RESOLVED: A. That Council notes the intention of the government, set out in the Great Repeal Bill White Paper published March 30th 2017, to afford itself wide-ranging powers to use secondary legislation to "adapt converted EU law to fit the UK's post-exit circumstances." (para 3.13).
- B. That, notwithstanding acceptance within the White Paper that "the purpose of the Great Repeal Bill and the secondary legislation is to convert EU law into UK law." (para 3.10), rather than to amend substance, Council is concerned that such a purpose may not hold true unless specific assurances are provided that secondary legislation (or so-called Henry VIII clauses) will not be misused.
- C. That, in particular, Council wishes to seek assurance on behalf of the people of West Lancashire, that such secondary legislation will not be used, in a way which bypasses proper parliamentary scrutiny, to weaken the protections and rights for workers which are now embedded in EU law, but which in many cases reflect

earlier successes by the trade union movement in establishing these rights and protections;

- D. That, accordingly, the Chief Executive be instructed to write to the Secretary of State for Exiting the European Union and the Attorney General, seeking assurance from them that the forthcoming legislation will specifically exclude from the provisions enabling secondary legislation any power to change converted EU-law applying to workers' rights and protections through such secondary legislation;
- E. Further, that the Chief Executive be instructed to write to other councils in Lancashire and the Liverpool City Region, inviting them to seek similar assurance on behalf of their citizens.

108

DRAINAGE AND FLOODING CABINET WORKING GROUP - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR C MARSHALL

The following Motion was moved and seconded:

"That following the receipt of representation from Seema Kennedy, MP for South Ribble and developments since the Environment Agency's Alt Crossens Consultation, given the ongoing issues regarding the maintenance of main watercourses for the effective drainage of the area, alongside the Environment Agency's recent extension of the Notice period served on various satellite pumps, together with problems with surface water drainage and the widespread implications for residents and businesses in West Lancashire, this Council resolves the following:

- A. That a Drainage and Flooding Cabinet Working Group be established to be formed of 3 Labour Members and 2 Conservative Members, with a Chairman and Vice-Chairman, as now nominated by the Leader of the Council with the following Terms of Reference:
 - 1. To investigate the issue of the maintenance of main watercourses and explore possible solutions; to explore possible options for the satellite pumps on which Notice has been served; and, to examine the problems surrounding surface water drainage. To do this with a view to assessing the impact on the people and businesses of West Lancashire with an aim to discover how the situation could be improved.
 - 2. To liaise with interested parties, including, but not limited to, the Environment Agency; Lancashire County Council (as Lead Local Flood Authority); the recently formed AltCrossens Advisory Group; and, neighbouring authorities where the causation and effect of the problems crosses over boundaries and affects both authorities. To do this to gather evidence and thereby assess the best possible solutions to the issues raised before making a report of such to a future meeting of the Full Council.
- B. That funding from the Major Projects Reserve to the value of £20,000 be agreed to cover the costs of servicing the work of the Drainage and Flooding

Cabinet Working Group."

An Amendment to the Motion was moved and seconded.

A vote was taken, the Amendment was CARRIED.

A vote was taken on the Substantive Motion, which was CARRIED.

- RESOLVED: A. That this Council will consider whether it is appropriate for a Drainage and Flooding Cabinet Working Group to be established to examine the issues surrounding surface water drainage at Alt/Crossens, once the Environment Agency has formed the replacement of the Alt/Crossens Advisory Group with Lancashire County Council (as Lead Local Flood Authority) and neighbouring authorities, as recently indicated.
- B. That the Portfolio Holder for Planning, with appropriate officer support, be appointed to represent West Lancashire Borough Council on the forthcoming Alt/Crossens Advisory Group and report to a future meeting of Cabinet/Council as appropriate.

(Note: Councillor Cooper arrived during consideration of this item.)

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THE MAYOR