

## COUNCIL

**HELD: Wednesday, 19 July 2017**

Start: 7.30 pm

Finish: 9.20 pm

## PRESENT:

Councillors: N Furey (Mayor)  
N Delaney (Deputy Mayor)

T Aldridge	I Ashcroft
M Barron	Mrs P Baybutt
Mrs M Blake	T Blane
J Bullock	J Cairns
C Cooper	P Cotterill
S Currie	I Davis
J Davis	T Devine
G Dowling	C Evans
Y Gagen	J Gordon
N Hennessy	G Hodson
J Hodson	P Hudson
J Kay	D McKay
C Marshall	J Mee
M Mills	I Moran
M Nixon	G Owen
A Owens	J Forshaw
R Pendleton	E Pope
A Pritchard	N Pryce-Roberts
L Savage	Mrs D Stephenson
D West	D Westley
Mrs M Westley	D Whittington
K Wilkie	K Wright
C Wynn	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  
Terry Broderick, Borough Solicitor  
Jacky Denning, Assistant Member Services Manager

## 14 PRAYERS

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

## 15 APOLOGIES

Apologies for absence were received on behalf of Councillors D Evans, Mrs Marshall, Ms Melling, O'Toole and Moon.

16 **DECLARATIONS OF INTEREST**

The following declarations were received:

1. Councillors Aldridge, Barron, Hennessy and Pope declared a pecuniary / non pecuniary interest in relation to, agenda item 10 'Policy Options 2018-2021'\*, agenda item 13 'Council Plan Annual Report 2016/17' and agenda item 18(b) 'Ground Maintenance - Motion', 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, Mee, Pope and Whittington declared a pecuniary / non pecuniary interest in relation to agenda item 13 'Policy Options 2018-2021'\*, agenda item 13 'Council Plan Annual Report 2016/7', 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 13 'Policy Options 2018-2021', including items at 'Appendix 1 - Street Scene digitalisation; Appendix 4 - OP1 – reduction in vehicles & OP17 review of grounds maintenance street cleansing', 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.\*
4. Councillor Hennessy declared a Disclosable Pecuniary Interest in relation to item 13 'Policy Options 2018-2021' 'OP11 – Leisure Contract' as the Council's appointed representative on West Lancashire Community Leisure Trust Board.\*

\* 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.

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 12 'HRA Revenue and Capital Outturn' 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 the tenancy or lease).
6. Councillors Aldridge, Blane, Mee, Pendleton and Wright declared non-pecuniary interests in relation to item 12 'HRA Revenue and Capital Outturn' 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.

**17 MINUTES**

RESOLVED: That the minutes of the following meetings be approved as a correct record and signed by the Mayor:

- 17 May 2017 (Annual Meeting)
- 26 April 2017
- 28 June 2017 (Extraordinary Meeting)

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

The Mayor announced that Civic Sunday would be on held on 3 September 2017 at 3.00pm at St Richard's Church, Liverpool Road, Skelmersdale.

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

There were no items under this heading.

**20 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, 18 May and 22 June 2017.
- B. Licensing and Appeals Committee held on Tuesday, 6 June 2017.
- C. Audit and Governance Committee held on Tuesday, 27 June 2017.

**21 BOROUGH COUNCIL BY-ELECTIONS 2017**

Consideration was given to the report of the Borough Solicitor, as contained on pages 63 to 68 of the Book of Reports, which detailed the results of the Borough Council By-Elections for Aughton Park Ward, held on 8 June and Derby Ward, held on 29 June 2017.

The Mayor paid tribute to Susan Bailey and Paul Greenall who were no longer Councillors and thanked them for their service to the Council and welcomed Councillors Mrs Stephenson and I Davis.

RESOLVED: That the contents of the report be noted.

**22 REVIEW OF POLITICAL BALANCE 2017/18**

Consideration was given to the report of the Borough Solicitor, as contained on pages 69 to 72 of the Book of Reports, which reviewed the allocation of seats on Committees to Political Groups, as a result of the by-elections held on 8 and 29 June 2017 and the establishment of the Our West Lancashire (OWL) Group.

RESOLVED: A. That, for the period ending with the next Annual Meeting of the Council, or such lesser period should the political balance or allocation to political groups change during the year requiring a review under the provisions of the Local Government and Housing Act 1989, the allocation of seats to the political groups be as agreed at the Annual Meeting of the Council on 17 May 2017, subject to the following changes:

- (i) Standards Committee – replace 1 Conservative Member with 1 OWL
- (ii) Audit & Governance Committee – replace 1 Labour Member with 1 OWL
- (iii) Licensing & Gambling Committee – reduce 1 Labour Member and increase 1 Conservative Member

B. That the Leaders of each Political Group advise the Borough Solicitor in relation to the names of the Councillors in respect of A. above and Section 4.1A of the Council's Constitution be updated accordingly.

**23 POLICY OPTIONS 2018-2021**

Consideration was given to the report Chief Executive, as contained on pages 73 to 134 of the Book of Reports, which set out a range of measures to address the challenging financial position facing the Council over the next 3 years.

A Motion to approve the recommendations at paragraph 2 of the report, was moved and seconded.

An Amendment to the Motion was moved and seconded.

A vote was taken on the Amendment, which was LOST.

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

RESOLVED: A. That the favourable budget variance of £391,000 that has been achieved for the 2016-17 financial year be noted and that the budget allocations set out in Appendix 1 to the report be approved.

B. That the £1.182m package of efficiencies, additional income and

savings included in Appendix 2 to the report, that have been agreed for the 2017-18 financial year be noted, and that monitoring reports be produced on progress with delivering these measures.

- C. That the Medium Term Financial Forecast for 2018-21 included in Appendix 3 to the report, setting out the challenging financial position facing the Council over the next 3 years be noted, and that further work be undertaken to identify measures to address this situation.
- D. That the set of Policy Options to deliver improved efficiency included in Appendix 4 to the report be approved for implementation, including the Housing and Inclusion restructuring which will involve the voluntary redundancy of the Borough Transformation Manager and Deputy Director of Housing and Inclusion, the transfer of management responsibility for the Home Care Link service from the Director of Leisure and Wellbeing to the Director of Housing and Inclusion, with the Borough Solicitor being authorised to make all consequent changes to the Council's Constitution, including the changes to the Proper Officer Provisions and Scheme of Delegation to Chief Officers as set out in Appendix 5 to the report.
- E. That the set of Policy Options included in Appendix 6 to the report be approved for consultation and further consideration at the next Council meeting in October 2017.
- F. That the proposals for consultation set out in section 8 be agreed, and that the Chief Executive reports the results of this consultation, and any amendments recommended as a result, together with any new policy options to Council at its October meeting.
- G. That any initial Trade Union comments on this report, which form part of the formal consultation process, be noted and considered, and that the Trade Unions be advised of the Council's resolutions, and that further consultations take place with all staff affected and their representatives.
- H. That the Chief Executive and Heads of Service be given authority to take all action in connection with the implementation of the above, and to effect the Council's redundancy and redeployment policies and other Human Resources procedures as required, and matters related to this, including the use of reserves to fund exit costs.

(Note: Councillor Wynn declared an interest and left the room whilst this item was under consideration.)

**24 TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR PERFORMANCE 2016-17**

Consideration was given to the report of the Borough Treasurer, as contained on pages 135 to 142 of the Book of Reports, which set out details of the Treasury Management performance and Prudential Indicators for the year ended 31 March 2017 and considered a budget update for a capital scheme.

A Motion to approve the recommendations at paragraph 2 of the report was moved and seconded.

An Amendment to the Motion was moved and seconded, which was LOST.

A Further Amendment to the Motion was moved and seconded, which was CARRIED.

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

- RESOLVED:
- A. That the performance for the 2016-17 financial year be noted.
  - B. That the budget figures for the Gorseley Place capital scheme set out in section 8 of the report be approved.
  - C. That discounted cash flow valuations be prepared as a matter of course for all commercial property transactions involving £250,000 or more.

**25 HRA REVENUE AND CAPITAL OUTTURN**

Consideration was given to the joint report of the Director of Housing and Inclusion and the Borough Treasurer, as contained on pages 143 to 150 of the Book of reports, which provided a summary of the Housing Revenue Account (HRA) revenue and capital outturn position for the 2016/2017 financial year.

RESOLVED: That the financial outturn position of the 2016/17 HRA and Capital Investment Programme be noted and that the budget allocations set out in paragraphs 4.3 and 5.3 of the report be approved.

**26 COUNCIL PLAN ANNUAL REPORT 2016/17**

Consideration was given to the report of the Borough Transformation Manager and Deputy Director of Housing and Inclusion, as contained on pages 151 to 178 of the Book of Reports, which presented the Council Plan Annual Report 2016/17.

RESOLVED: That the Council Plan Annual Report 2016/17, attached at Appendix 1 of the report, be approved.

27 **APPRENTICESHIP POLICY STATEMENT AND UPDATE ON THE HUMAN RESOURCES STRATEGY AND WORKFORCE PLAN**

Consideration was given to the report of the Borough Treasurer, as contained on pages 179 to 190 of the Book of Reports, which sought approval of a new Policy Statement on Apprenticeships and to highlight progress made in relation to the Human Resource Strategy and Workforce Plan 2015 – 2018.

RESOLVED: A. That the new Policy Statement on Apprenticeships, set out in Appendix 1 to the report, be approved.

B. That the progress on the Human Resources Strategy and Workforce Plan 2015-2018 be noted.

28 **HEALTH AND SAFETY STRATEGIC PLAN 2017-2020**

Consideration was given to the report of the Director of Leisure and Wellbeing, as contained on pages 191 to 206 of the Book of Reports, which provided an update on the progress made in relation to the 2014/17 Health and Safety Strategic Plan and to agree a new Health and Safety Strategic Plan for 2017/20.

RESOLVED: A. That progress against the Health and Safety Strategic Plan 2014/17 be noted.

B. That the Health and Safety Strategic Plan 2017/20, set out in Appendix 2 to the report, be agreed and the objectives and targets stated in the Plan be supported.

(Note: Councillor Currie left the meeting following the conclusion of the item.)

29 **PROCEDURE FOR THE PUBLIC AND APPLICANTS WHO WISH TO SPEAK AT THE PLANNING COMMITTEE ON PLANNING APPLICATIONS THAT MIGHT AFFECT THEM**

Consideration was given to the report of the Borough Solicitor, as contained on pages 207 to 216 of the Book of Reports, which set out the revised protocol for public and applicants speaking at Planning Committee.

RESOLVED: A. That the success of the current planning committee public speaking procedure be noted.

B. That the comments received from the Corporate Overview & Scrutiny Committee, as detailed in Appendix 2 to the report, be noted.

C. That the 'Procedure for the Public and Applicants Who Wish to Speak at the Planning Committee on Planning Applications That Might Affect Them' be approved as amended in Appendix 1 to the report, subject to the following:

- (i) The wording to be set out in paragraph 3 'Who can speak at meetings – and what can I say?' should remain as *"the Clerk to a Parish Council"*
- (ii) The wording to be set out in paragraph 5 'General Information' 4<sup>th</sup> bullet point, first sentence, being amended to read: *"After a decision has been made the Council's website will be updated and we will write to those who contacted us about the application and requested notification of that decision"*.

D. That Section 14 of the Constitution be updated accordingly.

30 **ELECTRONIC RECORDS STORAGE AND MANAGEMENT**

Consideration was given to the report of the Borough Solicitor, as contained on pages 217 to 220 of the Book of Reports, which advised of necessary work in relation to the Council's electronic records storage and management and sought additional resources to complete this.

RESOLVED: A. That the report be noted.

- B. That the appointment of a temporary Data Access and Storage Governance Project Officer and relevant funding for the project as set out at paragraph 7 of the report be approved.

31 **MOTIONS**

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

32 **CAR PARKING CHARGE CONCESSIONS - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR OWENS ON BEHALF OF THE OUR WEST LANCASHIRE GROUP**

The following Motion was moved and seconded:

"That this council notes that a number of northwest councils have introduced car parking charge concessions in recent years. Oldham Council offers three hours free parking on Saturdays with a reported increase in usage of 22%. Rochdale offers three hours free parking on some of its car parks every day. In Bolton, free weekend car parking resulted in the number of visits increasing from 85,000 to 205,000 while Chorley Council has introduced 3 hours free parking on all long stay car parks in May this year.

That this Council further notes that the Labour group, prior to forming the administration in 2015, heavily promoted the introduction of a 'Free after Three' car parking concession in Ormskirk Town Centre and that since that time Ormskirk Town Centre is facing increased competition from the free to park retail centre at Pippin Street in Burscough.



That this Council resolves to:

- consult widely with the town's retailers – both national chains and independents - on the introduction of a pilot car parking concession scheme to run for a 12 month period from 1 September 2017 to reduce the cost of car parking for shoppers and visitors to Ormskirk Town Centre and to give delegated authority to the Director of Development and Regeneration, in consultation with the relevant Portfolio Holder, to agree the terms of the pilot scheme and implement that scheme (being authorised to take all necessary steps to do so) following this consultation
- utilise up to £80,000 from the General Revenue Account surplus for 2016/17 to fund the agreed pilot car parking concession scheme
- monitor the impact of the pilot car parking concession scheme through car park ticket issue and data from the council's footfall monitors
- provide a report to the meeting of Full Council in July 2018 on the results of the pilot car parking concession scheme to that date with resulting recommendations"

An Amendment to the Motion was moved and seconded.

A vote was taken on the Amendment, which was LOST.

A Further Amendment to the Motion was moved and seconded.

A vote was taken on the Further Amendment, which was CARRIED.

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

RESOLVED: A. That this Council notes that whilst a number of northwest councils have introduced car parking charge concessions in recent years, each Town Centre is unique in its visitor patterns and therefore Ormskirk requires a tailor made package for the benefit of all.

B. That this Council notes that the Labour group, prior to forming the administration in 2015, explored the 'Free after Three' car parking concession in Ormskirk Town Centre and that since that time further work by Officers and through consultation with the community and businesses and with the emergence of new technologies, much more accurate targeting is possible. Work undertaken by Officers has indicated that there is no clear consensus amongst businesses that 'free' parking is the answer to drawing more people into Ormskirk.

C. That this Council resolves:

- (i) To continue to consult widely with the town's businesses and partners in developing a package of new initiatives utilising the latest technologies to increase greater visitor numbers to the Town, from both current users and new visitors.

- (ii) To continue to develop proposals for the replacement of existing ticket machines with new ticket machines and technology which would allow initiatives such as contactless card payments, chip & pin payments, mobile payments/top up of parking fees, automated payments etc.
- (iii) To continue to monitor the footfall in Ormskirk Town Centre to assess the impact of any agreed new package and feedback through the Ormskirk Town Centre Management Group to Cabinet and/or Council, as appropriate.

33 **GROUNDS MAINTENANCE - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR OWENS ON BEHALF OF THE OUR WEST LANCASHIRE GROUP**

The following Motion was moved and seconded:

"That this council is dissatisfied with the current standards of grounds maintenance being achieved in the Borough, especially in relation to grass cutting; weed control and the upkeep of prestige areas such as entrance roundabouts.

That this council notes the difficult financial position faced by both the Borough and County councils and further notes the loss of efficiency when the county council grounds maintenance was no longer carried out by the Borough council. However, the council is of the view that grounds maintenance is a core service and that any changes to previously agreed service levels within Borough Council responsibility must be formally agreed by council members and meet a higher standard than that currently being delivered.

Therefore, this council instructs its officers, in consultation with the relevant portfolio holders, to:

- a) Specify in writing and in sufficient detail the current grounds maintenance service being delivered in areas of Borough council responsibility and report this to all members of this council via a Members' Update explaining why, if it be the case, that this is at variance from the 2007-2012 contract
- b) Commence discussions with the County Council to improve coordination between the Borough and County grounds maintenance works and to explore the future re-integration of the council grounds maintenance work in West Lancashire under one organisation
- c) Provide a range of options to the political groups at the time of budget setting in February 2018 for future delivery of grounds maintenance services, taking account of the position in regard to the exercise at (b), as appropriate"

A vote was taken on the Motion, which was LOST.

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**THE MAYOR**