



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

Tuesday, 10 October 2017

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, 18 OCTOBER 2017** 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)

PAGE(S)

- | | |
|--|-----------|
| 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.) | 221 - 222 |
| 4. MINUTES
To receive as a correct record the minutes of the previous meeting held on 19 July 2017. | 223 - 232 |

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**
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) | Licensing & Appeals Committee - Tuesday, 18 July 2017 | 233 - 234 |
| b) | Planning Committee - Thursday, 27 July 2017 | 235 - 240 |
| c) | Audit & Governance Committee - Tuesday, 5 September 2017 | 241 - 244 |
| d) | Planning Committee - Thursday, 7 September 2017 | 245 - 248 |
| e) | Standards Committee - Tuesday, 19 September 2017 | 249 - 252 |
| f) | Planning Committee - Thursday, 5 October 2017 | (To Follow) |
8. **POLICY OPTIONS 2018-21**
To consider the report of the Borough Treasurer. 253 - 290
9. **TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING 2017-18**
To consider the report of the Borough Treasurer. 291 - 298
10. **BROWNFIELD LAND REGISTER AND PERMISSION IN PRINCIPLE**
To consider the report of the Director of Development and Regeneration. 299 - 338
11. **WEST LANCASHIRE TOURISM - THE VISITOR ECONOMY - FINAL REPORT OF THE CORPORATE & ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE**
To consider the report of the Director of Leisure and Wellbeing. 339 - 368
12. **OVERVIEW AND SCRUTINY ANNUAL REPORT 2016/17**
To consider the report of the Borough Solicitor. 369 - 390
13. **HOUSING AND PLANNING ACT 2016: CIVIL PENALTIES & RENT REPAYMENT ORDERS**
To consider the report of the Director of Leisure and Wellbeing. 391 - 420
14. **DISCRETIONARY BUSINESS RATE RELIEFS**
To consider the report of the Borough Treasurer. **(To follow)**

15. APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEE AND CHANGE TO CABINET

421 - 422

To consider the report of the Borough Solicitor.

16. EXCLUSION OF PRESS AND PUBLIC

It is recommended that members of the press and public be excluded from the meeting during consideration of the following item(s) of business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 (Any Individual), 3 (Financial/Business Affairs) & 4 (Labour Relations) of Part 1 of Schedule 12A to the 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.

PART 2 – Not Open to the Public

17. SENIOR MANAGEMENT STRUCTURE

423 - 442

To consider the report of the Chief Executive.

PART 3 - Open to the Public

18. MOTIONS

To consider the following Motions included on the agenda at the request of the Members indicated:

a) Small Business Tax Burden - Motion Included on the Agenda by Councillor Bullock on Behalf of the Labour Group

That this Council notes that Small Business, are spending more of their time delivering statutory tax obligations & compliance which can be absorbed easier by larger entities without impact to their bottom line. Small Business in West Lancashire are spending increasing time with red tape rather than productive time managing their businesses. Small businesses are experiencing more leakage in direct and indirect taxation than larger corporations and Multi Nationals, and this Council recognises the struggles and risks taken by Small Business here in West Lancashire.

That this Council believes that the tax burden placed on Small Business coupled with an increasing burden of red tape is stifling growth of fledgling business looking to grow here in West Lancashire.

That the Chief Executive writes to the Chancellor of the Exchequer to ask:

- (i) Why have Small Business (Self employed/life style businesses and/or Micro Entities), been targeted with unfair tax schemes and not large corporations?
- (ii) What consideration, if any, was given to making all the changes tax neutral? For example, offsetting one tax for another? For reducing red tape for businesses with less than

50 employees?

By way of example;

- Auto enrolment
 - SSP paid by the employer not government from the Employer NI paid
 - Increase in the Flat Rate of Vat
 - Restriction on MIR
 - Reduction in Fees from government for FREE childcare
- (iii) How do you think it will impact Small Business here in West Lancashire?
- (iv) Will the Chancellor/Treasury/Government consider redressing the balance of taxation & compliance for Small Business against that of their Multi National counterparts in its Autumn Statement?

b) NJC Pay - Motion Included on the Agenda by Councillor Pryce-Roberts on Behalf of the Labour Group

That West Lancashire Borough Council notes that:

- NJC basic pay has fallen by 21% since 2010 in real terms
- NJC workers had a three-year pay freeze from 2010-2012
- Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings
- NJC pay is the lowest in the public sector
- Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage
- There are growing equal and fair pay risks resulting from this situation

That this Council:

- (i) Supports the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector.
- (ii) Welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.
- (iii) Notes the drastic ongoing cuts to local government funding and

calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review.

That this Council:

- Calls immediately on the LGA to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard
- Writes to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review
- Meets with local NJC union representatives to convey support for the pay claim and the pay spine review

c) **Policing of Events at Orgreave - Motion Included on the Agenda by Councillor Cooper on Behalf of the Labour Group**

That this Council is disappointed by the Home Secretary's rejection on the 31st October, 2016 of an Inquiry into the policing of events at Orgreave.

That the Council:

- (i) observes that the Independent Police Commission said in their redacted report released in June 2015 "that there was evidence of excessive violence by police officers, and a false narrative from police exaggerating violence by miners, perjury by officers giving evidence to prosecute the arrested men, and an apparent cover-up of that perjury by senior officers".
- (ii) believes in the light of such statements that the Home Secretary needs to review her decision that there should be no enquiry into such events.
- (iii) notes that 95 miners were arrested and charged with riot offences, but were all later acquitted amid claims that police at the time had fabricated evidence.
- (iv) requests that the Chief Executive and the West Lancashire MP, Rosie Cooper, write to the Home Secretary and ask that she takes into account the opinion of this Council and accepts that there is widespread public concern about events at Orgreave and calls for her to order an inquiry into them.
- (v) calls on Lancashire County Council and the other local authorities across the North West to pass a similar motion.

d) **Ormskirk 'Night Market' - Motion Included on the Agenda by Councillor Dowling on Behalf of the Labour Group**

That this Council recognises the initiative shown and efforts made by

those local retailers and small businesses in Ormskirk Town Centre who have led on the town's series of 'Night Market' events.

That a letter of thanks is sent to those businesses involved, for their efforts in promoting the town and the borough of West Lancashire, and instructs officers to continue to support the project in whatever way they can within available resource levels through:

- professional and legal advice and guidance
- event planning
- marketing and communications
- supply of access to council materials and property
- and any other help, where practical.

e) **Student Accommodation - Motion Included on the Agenda by Councillor Owens on Behalf of Our West Lancashire Group**

Council notes that:

- Student landlords do not pay for the local public services their tenants use as student accommodation is currently exempt from business rates and student households are exempt from council tax.
- As at August 2017, there are 717 properties registered within the Borough that attract an exemption from Council Tax in accordance with the Regulation relating to student households (Exemption Class N) and a further 308 properties registered within the Borough that attract an exemption from Council Tax in accordance with the Regulation relating to student halls of residence (Exemption Class M).
- If these properties were not exempt from Council Tax, if a full Council Tax charge was levied in all these cases (assuming no Council Tax Support entitlement or other Council Tax Discounts/ Exemptions were eligible), it is estimated that an additional £1.3M Council Tax liability may be generated of which the Borough Council's share of the additional liability income is estimated to be approximately £169K.
- Student landlords have tenants who generate much need of local authority-funded public services, e.g. extra street cleansing, waste management, and environmental health demands (noise abatement and poor housing conditions).
- Councils currently effectively receive funding to cover the cost of these services through the Revenue Support Grant (RSG), but the Government's intention is to phase out the RSG by 2020. After 2020 when the RSG is phased out, the income lost from council tax exemptions relating to student accommodation will effectively be borne by all other West Lancashire council tax payers.

Council believes that:

- Students are a very welcome part of our community and our local economy, but live in concentrated areas of the Borough in

densely populated conditions. This has a big impact on services in these parts of the Borough.

- Student households should continue to be exempt from council tax, as students are on low (and loaned) incomes.
- Student landlords are profit –making businesses, and should pay properly for the demands their tenants make on public services.

Council resolves to ask the Chief Executive to write to the Chancellor of the Exchequer, Secretary of State for Communities and Local Government, the Chair and Vice-Chairs of the Local Government Association and the Members of Parliament serving West Lancashire Borough to request that councils should be given powers to bring student landlords within the scope of business rates in the same way that hotels, self-catering and holiday lets are within the scope of business rates.

f) **WASPI (Women Against State Pension Inequality) Motion**

submitted by Cllr Yvonne Gagen on Behalf of the Labour Group

This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification. Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women’s state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The Council calls upon the Government to reconsider transitional arrangements for women born on or after 6 April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

g) Minister for Older People - Motion by Cllr Aldridge on Behalf of the Labour Group

That this Council believes that the appointment of a Minister for Older People in Government is a real opportunity to commit to a coherent cross-governmental approach to age and ageing.

There are gaps between the remit of the Health and Pensions Ministers which needs to be addressed in order to effectively deal with the unprecedented demographic change that underpins the transformation of the economy, training, work and social care.

A similar model of that for the Minister for Disabled people should be considered. They work successfully across all Government departments to ensure disabled people are not disadvantaged in any way. The same approach needs to be considered for older people.

From a local authority perspective, we are working across a range of council services, as well as with our partner agencies, to plan for the needs of the projected ageing population. The Government should attach the same priority and approach across their own Government departments to ensure that people over the age of 50 are skilled, empowered and enabled to contribute fully to society, whilst also taking into consideration their health and living needs, as well as tackling issues such as isolation.

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 4

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 Gorsey 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' 4th 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.

.....
THE MAYOR

PRESENT:

Councillor: T Devine (Chairman)

Councillors: N Delaney C Evans
J Kay D McKay
J Mee M Mills
G Owen A Owens
K Wright

Officers: Director of Leisure and Wellbeing (Mr D Tilleray)
Principal Solicitor (Mrs K Lovelady)
Senior Licensing Officer (Mrs M Murray)
Member Services/Civic Support Officer (Mrs J Brown)

12 **APOLOGIES**

Apologies for absence were received on behalf of Councillor Melling.

13 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Committee.

14 **URGENT BUSINESS**

There were no urgent items of business.

15 **DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

16 **DECLARATION OF INTEREST**

There were no declarations of interest.

17 **MINUTES**

RESOLVED: That the Minutes of the meeting held on 6 June 2017 be received as a correct record and signed by the Chairman.

18 **MINUTES OF SUB - COMMITTEES OR WORKING GROUPS**

The Minutes of the Licensing Sub – Committee held on 24 January 2017, 10 February 2017, 24 May 2017 and 6 June 2017 were presented and noted.

19 EXCLUSION OF PRESS AND PUBLIC

RESOLVED That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 2 (Identity of an individual) and Paragraph 7 (Criminal Matters) part 1 of Schedule 12A outweighs the public interest in disclosing the information.

20 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000229705

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000229705 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Private Hire Driver Licence Number WK/000229705 be deferred one cycle in order to allow receipt of the Disclosure and Barring Service Report and DVLA Report.

21 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000229122

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000229122 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Private Hire Driver Licence Number WK/000229122 be deferred one cycle in order to allow receipt of the Disclosure and Barring Service Report.

22 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000226975

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000226975 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

The Applicant attended the meeting and was interviewed by the Committee during which he was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Private Hire Driver Licence Number WK/000226975 be GRANTED.

(Note: The Officers from the Leisure and Wellbeing Services left the meeting as Members considered their decision in this case).

.....
Chairman

Agenda Item 7b

PLANNING COMMITTEE

HELD: Thursday, 27 July 2017

Start: 7.30 p.m.

Finish: 22.55p.m.

PRESENT:

Councillor: G Dowling (Chairman)
A Yates (Vice-Chairman)

Councillors: I Ashcroft
Mrs P. Baybutt
C Cooper
T Devine
D Evans
C Marshall
D McKay
M Mills
D O'Toole
R Pendleton
E Pope
A Pritchard
Mrs M Wesley

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

In attendance: Councillor J. Hodson (Portfolio Holder Planning)
Councillor Cotterill (Bickerstaffe Ward)
Councillor Ian Davis (Derby Ward)
Councillor Delaney (Scott Ward)
Councillor John Davis (Burscough West Ward)

17 APOLOGIES

There were no apologies for absence received.

18 MEMBERSHIP OF THE COMMITTEE

There were no changes to the Membership of the Committee.

19 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

20 DECLARATIONS OF INTEREST

The Director of Development and Regeneration, Mr. J. Harrison declared that in respect of planning application 0493/FUL, 132 Redgate, Ormskirk his daughter lives in the vicinity of the application site and he would accordingly leave the Chamber

during consideration of this item.

21 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

22 MINUTES

RESOLVED: That the minutes of the meeting held on the 27 July 2017 be approved as a correct record and signed by the Chairman.

23 PLANNING APPLICATIONS

The Director of Development and Regeneration submitted a report on planning applications (all prefixed 2017 unless otherwise stated) as contained on pages 357 to 545 of the Book of Reports and on pages 563 to 568 of the Late Information Report and on pages 571 to 572 of the Additional Late Information Report.

RESOLVED

- A.** That the undermentioned planning applications be approved subject to the conditions in the report:-

0403/WL3; 0350/FUL; 0358/FUL
- B.** That planning application 0161/FUL relating to Beacon View, Firwood Road, Lathom, Skelmersdale be refused for the reasons as set out on page 372 of the Report.
- C.** That planning application 0475/FUL relating to 2 Millstone Court, Burscough, be refused for the reason as set out on page 399 of the Report.
- D.** That in respect of 0457/COU relating to Brookfields, Charity Lane, Westhead be refused for the reason as set out page 443 of the Report.
- E.** That planning application 0395/FUL relating to Land to the North of Asmall Lane, Scarisbrick be refused for the reason as set out on page 521 of the Report.
- F.** That it be noted that planning application 0491/FUL relating to 104 Moorfield Lane, Scarisbrick had been withdrawn from the Agenda by Officers.
- G.** That in respect of planning application 0416/FUL relating to 5 Briars Lane, Lathom:-
 - (i) That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman

or Vice-Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:-

The terms and conditions of the affordable houses;

The payment of £35,000 towards the Ormskirk to Burscough Linear Park

- (ii) That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation (i) above be subject to the conditions as set down on pages 387 to 393 of the Book of Reports subject to an amendment to Conditions 10 and 18 as set down on page 563 to 564 of the Late Information Report.

- H.** That planning application 2016/0516/FUL relating to Land to the North of Meadowbrook, Burscough be refused for the following reason:-

The proposal conflicts with Policies SP3 and GN2 (b) (i) of the West Lancashire Local Plan and the Yew Tree Farm Masterplan SPD in that it would result in residential development on land safeguarded for development beyond 2027 and would therefore prejudice the phased delivery of housing.

- I.** That in respect of planning application 2016/0126/FUL relating to Fine Janes Farm, Moss Road, Halsall:-

- (i) That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman or Vice-Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:-

The payment of £142,125 as a contribution towards secondary school places within West Lancashire, or £113,138 within Sefton;
Maintenance and management of public open space; and

Maintenance and management of the roads within the development and the bridge.

- (ii) That any planning permission granted by the

Director of Development and Regeneration pursuant to recommendation (i) above be subject to the conditions as set out on pages 454 to 463 of the Book of Reports.

- J.** That in respect of planning application 2016/1023/FUL relating to Former Sutches Farm, Castlehey, Skelmersdale:-

- (i) That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman or Vice-Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:-

The terms and conditions of the affordable housing units

- (ii) That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation (i) above be subject to the conditions as set out on pages 478 to 483 of the Book of Reports.

- K.** That in respect planning application 0018/FUL relating to Len Wrights Salads Ltd – Hazeldene, Taylors Meanygate, Tarleton Preston:-

The decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman and Vice-Chairman of the Planning Committee subject to the Secretary of State raising no objection to the Council making a decision itself on the application and subject to the conditions as set down on pages 541 to 545 of the Book of Reports.

- L.** That planning application 0493/FUL relating to 132 Redgate, Ormskirk be refused for the following reason:-

The proposed development would result in additional noise and disturbance to nearby residents, to the detriment of their amenity, contrary to Policy GN3 of the West Lancashire Local Plan 2012-2027 and one of the core principles of the National Planning Policy Framework.

(Notes:-

1. In accordance with the procedure for public speaking on planning applications on this Committee, members of the public spoke in connection with applications nos: 2016/0516/FUL and 0493/FUL.
2. Parish Councillor Brian Bailey from Burscough Parish Council spoke in connection with planning application 2016/0516/FUL relating to the Land to the North of Meadowbrook, Burscough.
3. In accordance with Regulatory Procedure Rule 7(b) Councillor Cotterill spoke in connection with planning application 0161/FUL relating to Beacon View, Firswood Road, Lathom, Skelmersdale.
4. In accordance with Regulatory Procedure Rule 7(b) Councillor Ian Davis spoke in connection with application number 0457/COU.
5. Councillor Cotterill left the meeting at the conclusion of planning application 0161/FUL relating to Beacon View, Firswood Road, Lathom and was not present for the remainder of the meeting.
6. Councillor Ian Davis left the meeting at the conclusion of the planning application 0457/COU relating to Brookfields, Charity Lane, Westhead and was not present for the remainder of the meeting.
7. The Director of Development and Regeneration, Mr. J. Harrison left the Chamber during consideration of planning application 0493/FUL relating to 132 Redgate, Ormskirk.
8. Councillor Pope left the Chamber during consideration of planning application 0403/WL3, 10 Bath Springs Court, Ormskirk and therefore did not vote on this application.
9. After consideration of planning application 2016/0126/FUL relating to Fine Janes Farm, Moss Road, Halsall the meeting was adjourned for a 5 minute comfort break.
10. Councillor J. Hodson left the meeting at the conclusion of planning application 2016/0516/FUL relating to Land to the North of Meadowbrook, Burscough and was not present for the remainder of the meeting.
11. Councillor Delaney left the meeting at the conclusion of planning application 0493/FUL relating to 132 Redgate, Ormskirk and was not present for the remainder of the meeting.
12. Councillor J. Davis left the meeting at the conclusion of planning application 2016/0516/FUL relating to Land to the North of Meadowbrook, Burscough and was not present for the remainder of the meeting.)

.....
- **CHAIRMAN** -

Agenda Item 7c

AUDIT & GOVERNANCE COMMITTEE

HELD: Tuesday, 5 September 2017

Start: 6.30 P.M.

Finish: 7.10 P.M.

PRESENT:

Councillor: A Yates (Chairman)

Councillors: T Aldridge P Hudson
I Davis J Mee
J Gordon R Pendleton
N Hennessy E Pope
G Hodson

Officers: Borough Treasurer (Mr M Taylor)
Borough Solicitor (Mr T Broderick)
Audit Manager (Mr M Coysh)
Member Services/Civic Support Officer (Mrs J A Ryan)

In attendance: Karen Murray (Grant Thornton)
Georgia Jones (Grant Thornton)

14 APOLOGIES

There were no apologies for absence received.

The Chairman welcomed Councillor Ian Davis to his first Audit and Governance Committee.

15 MEMBERSHIP OF THE COMMITTEE

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

16 DECLARATIONS OF INTEREST

There were no declarations of interest.

17 PUBLIC SPEAKING

There were no items under this Heading.

18 MINUTES

RESOLVED: That the minutes of the meeting held on the 27 June 2017 be approved as a correct record and signed by the Chairman.

19 GRANT THORNTON - AUDIT FINDINGS REPORT

Consideration was given to the report of the Borough Treasurer as circulated and contained on pages 73 to 110 of the Book of Reports the purpose of which was to receive a report from the Council's External Auditors, Grant Thornton setting out their findings on the audit of the accounts and value for money.

The Chairman invited Karen Murray and Georgia Jones from Grant Thornton to present the Audit Findings Report to the Committee.

A question was asked in connection with the mis-calculation of lease payments.

Karen Murray provided a response to this question and replied that this was easy to miscalculate and was not an uncommon error and that this had been rectified.

RESOLVED: That the report be noted.

20 APPROVAL OF STATEMENT OF ACCOUNTS

Consideration was given to the report of the Borough Treasurer as circulated and contained on pages 111 to 220 of the Book of Reports the purpose of which was to approve a Letter of Representation and the Council's annual Statement of Accounts.

Comments and questions were raised in respect of the following issues:-

- Build-up of investment assets
- The whereabouts of the Ruff Public Park and Pleasure Ground

RESOLVED A. That the Letter of Representation set out in Appendix 1 of the report be endorsed.

B. That the Statement of Accounts set out in Appendix 2 of the report be approved.

21 INTERNAL AUDIT ACTIVITIES - QUARTERLY UPDATE

Consideration was given to the report of the Borough Treasurer as circulated and contained on pages 221 to 225 of the Book of Reports which advised of the progress against the 2017/18 Internal Audit Plan.

The Audit Manager reported that delivery of the Internal Audit Plan was progressing well and that the Plan was on track and should be delivered on time if current progress is maintained.

He also advised Members that a new temporary appointment was currently being filled to help with the issue identified in the Annual Governance Statement relating to the management of electronic records corporately.

A Member asked whether there were any significant issues in audit work completed to date that Members needed to be aware of in respect of the Internal Audit Activity, and it was confirmed that there were no such issues at this time.

RESOLVED: That progress in the year to date be noted.

(Note: Councillor Dowling arrived during consideration of this item and was present for the remainder of the meeting).

22 **REGULATION OF INVESTIGATORY POWERS (RIPA) ACT - ANNUAL SETTING OF THE POLICY AND REVIEW OF USE OF POWERS**

Consideration was given to the report of the Borough Solicitor as circulated and contained on pages 227 to 255 of the Book of Reports the purpose of which was to present an updated RIPA Policy document for approval.

RESOLVED: That the Council's RIPA activity and the updated RIPA Policy document be noted.

23 **WORK PROGRAMME**

Consideration was given to the Committee's Work Programme as set out on page 257 of the Book of Reports. It was noted that the dates of future meetings of the Audit and Governance Committee would need to be changed through the Council's usual processes due to the deadline for the annual audit moving forward.

RESOLVED: That the Work Programme be noted.

.....
- CHAIRMAN -

Agenda Item 7d

PLANNING COMMITTEE

HELD: Thursday, 7 September 2017

Start: 7.30 P.M.

Finish: 8.55 P.M.

PRESENT:

Councillor: G Dowling (Chairman)
A Yates (Vice-Chairman)

Councillors: Mrs P Baybutt Mrs C Cooper
N Delaney T Devine
D Evans C Marshall
M Mills D O'Toole
R Pendleton E Pope
Mrs D Stephenson Mrs M Westley

Officers: Assistant Director of Development & Regeneration (Mr I Gill)
Head of Development Management (Mrs C Thomas)
Principal Planning Officer (Mr R Hitchcock)
Assistant Solicitor (Mrs J Williams)
Member Services/Civic Support Officer (Mrs J A Ryan)

In attendance: Councillor J Hodson (Portfolio Holder Planning)

24 APOLOGIES

There were no apologies for absence received.

25 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillors Ashcroft and Pritchard and the appointments of Councillors Mrs. Stephenson and Delaney for this meeting only, giving effect to the wishes of the Political Groups.

26 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

27 DECLARATIONS OF INTEREST

The Deputy Director of Development and Regeneration, Mr I Gill declared an interest in respect of planning application 0813/WL, Units 38 and 40 Gorsey Place, Skelmersdale as the application was for premises under the ownership of the Council which was also being dealt with within his Directorate and would therefore leave the Chamber during consideration of this item.

28 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

29 MINUTES

RESOLVED: That the minutes of the meeting held on the 27 July 2017 be approved as a correct record and signed by the Chairman.

30 PLANNING APPLICATIONS

The Director of Development and Regeneration submitted a report on planning applications (all prefixed 2017 unless otherwise stated) as contained on pages 584 to 625 of the Book of Reports and on pages 633 to 635 of the Late Information Report.

RESOLVED: **A.** That the undermentioned planning applications be approved subject to the conditions in the report:-

0813/WL3; 0196/FUL; 0251/COU;

B That planning application 0541/FUL relating to Land Adjacent to 67 Gorsey Lane, Banks be refused for the reasons as set out on pages 617 to 618 of the Report.

C That planning application 0588/FUL relating to the Railway Hotel, 1 Station Road, Parbold be approved subject to the conditions as set out on pages 605 to 608 of the Book of Reports and with the additional Condition No. 12 as set out on pages 633 to 634 of the Late Information Report.

(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: 0196/FUL and 0588/FUL
2. The Deputy Director of Development and Regeneration left the Chamber during consideration of planning application 0813/WL3 relating to Units 38 and 40 Gorsey Place, Skelmersdale.
3. In accordance with Regulatory Procedure Rule 7(b) Councillor Barron spoke in connection with application no 0541/FUL.
4. Parbold Parish Clerk, Liz Broad spoke in connection with planning application 0196/FUL relating to Land to the rear of 9-15 Tan House Lane, Parbold.
5. Parbold Parish Clerk, Liz Broad spoke in connection with planning application 0588/FUL relating to the Railway Hotel, 1 Station Road, Parbold.
6. Councillor Barron left the Chamber at the conclusion of planning application 0541/FUL relating to Land Adjacent to 67 Gorsey Lane, Banks and was not

present for the remainder of the meeting.

7. Councillor Devine left the Chamber during consideration of planning application 0251/COU relating to 1 Knowsley Mews, Ormskirk was not present for the remainder of the meeting.

.....
- CHAIRMAN -

STANDARDS COMMITTEE

HELD: Tuesday, 19 September 2017

Start: 5.00 pm

Finish: 5.15pm

PRESENT:

Councillor: D Westley (Vice Chairman in the Chair)

Councillors: I Davis Mrs J Marshall
J Davis K Wright

In attendance: Mr S Garvey (Reserve Independent Person)

Officers: Borough Solicitor (Mr T Broderick)
Legal & Member Services Manager (Mr M Jones)
Principal Overview and Scrutiny Officer (Mrs C Jackson)

1 **APOLOGIES**

Apologies for absence were submitted on behalf of Mr S Ibbs (Independent Person).

2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Committee

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **URGENT BUSINESS**

There were no items of urgent business.

5 **PUBLIC SPEAKING**

There were no items under this heading.

6 **MINUTES**

RESOLVED That the minutes of the last meeting of the Committee held on 21 March 2017 be approved as a correct record and signed by the Vice Chairman.

7 ANNUAL MONITORING OF TRAINING 2016/2017

Consideration was given to the report of the Borough Solicitor as circulated and contained on pages 11 – 15 of the Book of Reports which detailed training undertaken in 2016/17 and its effectiveness in relation to the Code of Conduct and standards.

Reference was made to the annual training scheduled to take place on 20 September 2017 and the external induction training offered to newly elected Borough Councillors.

RESOLVED That the training undertaken and the evaluation of it be noted.

8 STANDARDS COMMITTEE ANNUAL REPORT 2016/2017

The Borough Solicitor presented the Standards Committee Annual Report as circulated and contained on pages 17 – 25 of the Book of Reports.

RESOLVED That the Standards Committee Annual Report 2016/17, attached as an Appendix to the report be noted, endorsed and published on the Council's website.

9 COMPLAINTS STATISTICS

The Committee considered the complaints statistics for 2016/17 as set down at pages 27 to 32 of the Book of Reports.

RESOLVED That the Standards Complaints Statistics, attached at Appendix 1 to the report, be noted.

10 WORK PROGRAMME

Consideration was given to the Work Programme as circulated and contained on page 33 of the Book of Reports.

The ensuing discussion highlighted training offered to Parish Councillors and the Borough Solicitor undertook to bring a report to the next meeting outlining an approach to support, particularly new elected/co-opted, Parish Councillors, in their role.

RESOLVED That an item on guidance for newly elected/co-opted Parish Councillors be added to the Committee's Work Programme.

.....
Chairman



Report of: Chief Executive

Contact for further information: Marc Taylor (Ext. 5092)
(marc.taylor@westlancs.gov.uk)

SUBJECT: POLICY OPTIONS 2018-21

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider financial performance in the current year, and to report the results of the Policy Options 2018/19 consultation before agreeing a final set of Policy Options for implementation.

2.0 RECOMMENDATIONS

2.1 That the financial performance at the mid year point be noted.

2.2 That the results of the Policy Options consultation set out in Appendices 1 and 2 be noted.

2.3 That the Policy Option proposals set out in Appendix 3 be approved, and that the Chief Executive and Heads of Service be given authority to take all necessary action in connection with the implementation of these proposals.

3.0 BACKGROUND

3.1 The Council has been going through an extended period of reducing resources primarily as a result of significant reductions in its government grant funding. This period began in 2009 and in response an Organisational Downsizing Initiative was implemented in that year to deliver ongoing annual savings of £1.753m. Over the four year period 2011-15, the Council then delivered a series of large scale saving programmes that have delivered further ongoing annual savings of around £5m. Similarly the GRA faced a budget gap of £1.3m in 2015-16, and then agreed a further package of efficiencies, additional income and savings of £1.7m for the 2016-17 financial year. This has been a period of unprecedented change for the GRA and there is an expectation that savings will continue to need to be made until at least 2020.

- 3.2 A Policy Options report was presented to the July Council meeting that set out a forecast budget gap of £1.925m for 2018-19, £0.590m for 2019-20, and £0.210m for 2020-21. In total this would mean reducing the ongoing annual budget requirement by £2.725m by 2020-21. The single largest ongoing factor explaining this position is the reduction in Government grant funding that has been confirmed for future years, and in particular the reduction of £0.870m in Revenue Support Grant. However there are also a number of other significant factors, including the anticipated loss of £0.950m of income from the County Council when the current Waste Partnership agreement comes to an end in March 2018.
- 3.3 In practice there is scope for considerable variation in this type of forecast as many factors cannot be known with certainty at this time and unexpected new developments will occur. However the forecast does give a clear indication of the scale of budget reductions and additional income that will need to be found over the next 3 years, which would be around 13% of overall turnover.
- 3.4 The July Policy options report agreed £0.457m of measures including proposals for staff restructuring, budget streamlining, efficiency improvements and treasury management and procurement savings. This includes a £10,000 saving through efficiencies on the leisure contract that previously had a savings figure to be confirmed. The July report then set out a further series of potential options for consultation, which are summarised below.

Code	Policy Option / Initiative
OP12	Increase Bus Station departure charges to Bus Companies from 7.5p per departure to 50p
OP13	Home Care Link – look to at least break even or else review the provision and model of service delivery
OP14	General Income Programme e.g. new trading areas, expansion of existing trading, increase in level of existing fees and charges etc
OP15	Cease provision of civic car and chauffeur
OP16	Reduced Civic Services and Mayoral Role
OP17	Cross service review of Grounds Maintenance and Street Cleansing Services

- 3.5 While every effort has been given to maximising efficiencies and income generation, the scale of the budget gap means that options have to be considered that will have an impact on the public, current service and performance levels, and members of staff. However these Policy Option proposals have been designed to minimise these effects given the level of savings that need to be identified.

4.0 BUDGET MONITORING MID YEAR REVIEW

- 4.1 It is our standard practice to review financial performance at the mid-year point to ensure that budgets are being effectively controlled so that any issues can be addressed in a timely fashion. The latest financial monitoring against GRA budgets is now projecting an overall favourable variance of £90,000 or 0.7% for the year. The majority of the permanent ongoing budget savings that were achieved in 2016/17 have been built into the budget for 2017/18, and consequently the current year's projected favourable budget variance is lower than that achieved in the previous year. In addition OP4, the corporate budget streamlining policy option for £165,000 that was agreed at Council in July, has been built into the current year budgets, and this saving will be used to support the budget position for 2018/19.
- 4.2 The projections have been calculated on a prudent basis, and consequently it can be confidently expected that the Council will meet its budget targets. This will continue our track record of managing our financial performance to ensure that the outturn position is in line with the budget.
- 4.3 The GRA faced a significant budget gap for the 2017/18 financial year in terms of the spending required to maintain agreed service levels and the resources that were expected to be available. To address this position a series of measures worth £1.2m were agreed by Council. These measures include the introduction of new charges to generate additional income, savings from contract renegotiation, efficiency improvements, staff restructuring savings and changes to terms and conditions, as well as additional council tax and business rates income. This package of measures is now being implemented and overall good progress is being made on delivering the necessary savings, and this is reflected in the positive financial performance being achieved.
- 4.4 The introduction of garden waste charging was originally forecast to raise an additional £500,000 of income after allowing for the costs of administering and collecting these charges. The take up of this service has been higher than predicted and consequently this budget can now be prudently increased by £140,000 to £640,000 in future years.

5.0 CONSULTATION

- 5.1 The Council has a duty to consult and involve representatives of local persons and others, where appropriate, in the exercise of its functions. In line with these requirements the Council carried out consultation earlier this year to gather the views of local residents and stakeholders. Just under 1,300 people responded to the Citizens Survey and there were 82 responses to the Stakeholder Survey. These survey results provided important information about views on the services where people thought savings or income should be generated, and these results have been considered in developing policy options.
- 5.2 A further consultation exercise has been undertaken specifically on a range of policy options contained in the July Council report. This consultation was undertaken through two online surveys and with paper copies of the surveys available upon request. There was one survey for individual residents and one for stakeholder organisations and community groups. This consultation was

promoted in a variety of ways including: press releases issued to local newspapers; on the Council website; working in partnership with West Lancashire CVS who made all the organisations they are involved with aware of the consultation; and emails sent directly to parish councils, public sector organisations, and businesses. 154 responses were received to the 2017 Meeting the Budget Challenge consultation for residents, and in addition 34 responses were received from organisations. Reports on these consultation results are provided in Appendices 1 and 2.

- 5.3 The resident survey results are set out in Appendix 1 and show that most respondents agreed with, rather than disagreed with, the majority of the proposals. The savings proposals with the most concern amongst residents were in relation to annual increases to a range of charges including Pest control, Licensing and Home Care Link and the review of the grounds maintenance and street cleansing services.
- 5.4 The purpose of the consultation was to provide residents with the opportunity to give their views on the Council's budget proposals and provide insight into any impact these would have. It should not though be considered a statistically representative piece of research which represents the views of all residents in the Borough. Some caution should be applied when reviewing the analysis and findings, as an open-access consultation has the potential for self-selection bias from residents with strong views on particular issues or services.
- 5.5 The results of the stakeholder survey are set out in Appendix 2 and show that the majority of organisations agreed rather than disagreed with all of the proposals except for the option concerning reducing the role of the mayor. From the comments received this appears to be because organisations feel that the Mayor's role is important for significant events such as Remembrance Sunday and is the visible face of the Council. However some comments also suggest that one solution would be to conduct a review to 'slim down' the role and reduce the expense.

6.0 FINAL POLICY OPTIONS FOR 2018/19

- 6.1 The Council is facing a very difficult medium term financial position as are most other local authorities. In addition to the large scale budget gap for 2018/19, the Medium Term Financial Forecast has identified further significant budget gaps in 2019/20 and 2020/21. Consequently once next year's budget position has been agreed there will be further work required to identify significant additional efficiencies, income and savings proposals over the medium term. Taking this position into account, and considering the consultation results as well as other relevant factors, a final set of policy options is proposed in Appendix 3. These options include those that have been consulted upon over the Summer, updated as appropriate, as well as a new option OP18 Senior Management Team Restructuring, which is the subject of a separate report elsewhere on the agenda. This restructuring will provide an appropriate focus on delivering the Council's aspirations going forward as well as significant efficiency savings.
- 6.2 In total the proposals in Appendix 3 would generate additional income and savings of £394,000 in 2018-19, increasing to £569,000 in 2020-21.

7.0 ISSUES

- 7.1 The Policy Option proposals set out in Appendix 3 would involve the deletion of five posts and the creation of 2 new posts. The maximum anticipated staff exit cost at this time would be £344,124, which could be financed from the Council's Restructuring Fund. The payback period (time for the savings generated by the proposal to match its staff exit costs) would be within 3 years in accordance with Council policy.
- 7.2 The Cross Service Review of Grounds Maintenance and Street Cleansing Services would be facilitated by consultants in conjunction with Street Scene Officers who would review the most efficient and effective way of managing and delivering this service including staffing structures. The review would also involve considering existing service specifications which have not been examined in recent times and would take into account the concerns and issues raised in the consultation responses. Options and recommendations arising from this review will be reported back to Members in due course.
- 7.3 The use of route optimisation technology is currently being implemented in the refuse and recycling service to ensure that the service is delivered with maximum efficiency, and to take account of the impact of green waste charging on activity levels. Previous budget decisions have included a £100,000 saving from 2018/19 onwards (and this is taken into account in the budget gap) from this factor but this figure will be updated once this work has been completed and consequently is therefore subject to change. The implementation of route optimised rounds could have an impact on required resources including vehicles and staffing levels, and this situation will be managed through the Council's HR and other policies. The effectiveness of these policies can be demonstrated by the fact that there have been no compulsory redundancies in recent years, and reflects a strong track record in managing organisational change.
- 7.4 Option OP16 on Reduced Civic Services and Mayoral Role has been amended and updated to take into account the consultation responses.
- 7.5 There has been a regular dialogue with the Trade Unions and affected staff on policy options in line with best practice and a number of meetings have taken place to discuss these proposals in detail.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 Every effort will be made through the Policy Option process to minimise the impact of the need to make budget savings on priority areas. Creating a sustainable budget is a priority for all organisations and this report seeks to achieve this.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 If the proposals in this report are approved it will mean that there will be measures in place to deliver savings and additional income of £0.991m for 2018-19. This will then reduce the value of the budget gap for 2018/19 from £1.925m to

£0.934m. Consideration on how this remaining budget gap can be closed will take place through the detailed budget setting process, which will run up until the February 2018 Council meeting when the full budget for 2018/19 will be set. This will include consideration of the £310,000 favourable budget variance for 2016/17 and the anticipated £165,000 budget streamlining saving in the current year that will be available to support the budget position for 2018/19. This will provide £475,000 of funding that will be available on a one off basis for 2018/19 only.

- 9.2 Looking further forward the Medium Term Financial Forecast is projecting a budget gap of £0.590m for 2019/20, and £0.210m for 2020/21. Consequently it is proposed that a Policy Options process will be operated in 2018 to enable this situation to be addressed. However the scale of the budget gap in future years means that the Council will continue to face a very challenging financial position.

10.0 RISK ASSESSMENT

- 10.1 The difficult financial position facing the Council is a key risk that is included on the Council's Key Risk Register, and the Policy Option process is the main process for managing and controlling this risk. The financial scenario facing all local authorities means that "doing nothing" is not an option, and that a large scale package of savings needs to be agreed over a medium term period.
- 10.2 In considering the budget gap for 2018-19 and future years, it is important to recognise that these are projections based on the best available information at the current time using prudent assumptions. However there is scope for considerable variation, and the value and scale of issues identified in the forecast may change and new issues may emerge. However the risk that the final budget position may be worse than the forecast, can be managed by taking funding out of the Budget and Efficiency Savings Reserve if required.

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

A number of the proposals in this report have a significant direct impact on members of the public, employees, elected members and / or stakeholders and therefore an equality impact assessment is required. This assessment has been included in Appendix 4.

Appendix

- Appendix 1 – Meeting the Budget Challenge 2016 Consultation – Residents
- Appendix 2 – Meeting the Budget Challenge 2016 Consultation - Organisations
- Appendix 3 – Final Policy Option proposals
- Appendix 4 – Equality Impact Assessment

West Lancashire
Meeting the Budget Challenge
2017 Consultation - Residents



in:fusion

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1 Executive Summary

154 responses were received to the 2017 Meeting the Budget Challenge consultation for residents, of which three were paper responses.

The table below provides a summary of the level of agreement for each proposal in the consultation. (Rounded numbers, presented in tables throughout this report, may not equal the total due to rounding differences).

The proposal with the highest level of agreement is for ending the provision of the civic car and Chauffeur/ Attendant, followed by charging for an additional catering van at Coronation Park and increasing departure fees to bus companies.

The savings proposals with the strongest level of disagreement amongst residents are annual increases to a range of charges including pest control, licensing and Home Care Link, and a review of street cleaning and grounds maintenance services.

Around three quarters of residents agree that they understand the challenges the Council faces to achieve savings and increase income.

Figure 1.1: Summary agreement levels for savings proposals

Proposals	Agree	Disagree	Don't know
Increasing the charge for replacement wheelie bins from £23 to £25 to cover the actual cost of providing the bins	64%	35%	1%
Annual increases in line with inflation (currently around 2.9%) to a range of charges including pest control, some licensing fees, and charges for the Home Care Link and lifeline emergency alarm service for elderly and vulnerable residents	46%	51%	4%
Providing, for a fee, advice to parish councils on how to procure high-value contracts with external companies for projects in their areas e.g. environmental improvements, purchase of play equipment	53%	35%	13%
A 6% increase in charges for trade waste collections from April 2018. Our trade waste service is available to business premises; the charge depends on the amount of waste that is collected. The increase would cover the rising	59%	32%	10%

costs of collection and disposal.			
Charging for an additional catering van at Coronation Park, Ormskirk during peak visitor periods	68%	19%	13%
Increase departure fees to bus companies who use Ormskirk station from 7.5p to 50p	65%	25%	10%
End the provision of the civic car and Chauffeur/Attendant	85%	11%	4%
Range of other options to reduce the role of the Mayor	61%	30%	9%
Review of the Home Care Link service to ensure that it breaks even	51%	30%	19%
Review of street cleaning and grounds maintenance services	38%	48%	14%
Understand the challenges the Council faces to achieve savings and increase income	73%	13%	14%

2 Background and Methodology

2.1 Background

Following on from previous years, West Lancashire Borough Council needs to make savings, efficiencies and increase income in order to balance the budget for 2018/2019.

The Council developed a range of proposals in 2017 which were approved for consultation with residents and organisations in the borough. Residents' views will be considered before any final decisions are made on the Council's budget for 2018/19.

The aim of the consultation is to assess whether residents and organisations agree or disagree with the proposals and understand the impact these may have if implemented. The findings of the consultation will inform the decision-making process on the Council's budget for 2018/2019.

This report focuses on the feedback received from **residents** through the consultation.

2.2 Methodology

A consultation survey was developed in both online and postal format for residents in West Lancashire to give their views on proposals around the Council's budget. The six week consultation went live on Monday 24 July 2017 and closed on Sunday 3 September 2017.

The residents' survey was hosted on the Council website and promoted through a range of press releases and social media updates. Residents were also made aware that they could request a paper copy of the survey if desired.

In relation to each of the savings proposals, some facts and figures were provided giving further information including how much money would be saved. Respondents were also invited to give comments about each proposal and any impact it might have.

In total, **154 responses were received from residents**, of which three were paper returns. This is lower than in 2016 when 548 residents responded to the budget consultation. However, this year's response total is still significantly higher than previous consultations, with the 2015 budget consultation having received 32 responses from residents.

The purpose of the consultation was to offer residents the opportunity to give their views on the Council's budget proposals and provide an insight into any impact these could have. Therefore the consultation should not be considered a statistically representative piece of research which represents the views of all residents in the borough. Furthermore, as an

open-access consultation there is the potential for self-selection bias from residents with strong views on particular issues or services.

Moreover, whilst demographic information was captured in the survey there will only be cross-tabulation analysis referenced within this report when sample sizes allow and findings are considered noteworthy. For some questions in this report, individual percentage figures may total above 100% due to rounding.

A number of open-ended questions were included in the survey to give people the opportunity to comment on the proposals. As part of the report, these comments have been independently reviewed and summarised into key themes during the analysis process.

2.3 Who responded?

The consultation received slightly more responses from female residents than male. The gender of the borough is relatively balanced overall with 52% of the population identifying as female and 48% as male.

Figure 2.1: What is your gender? (base – 145)

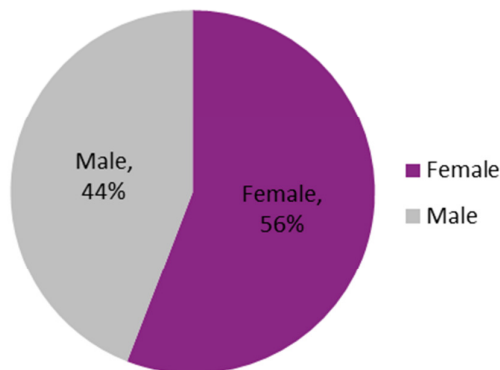
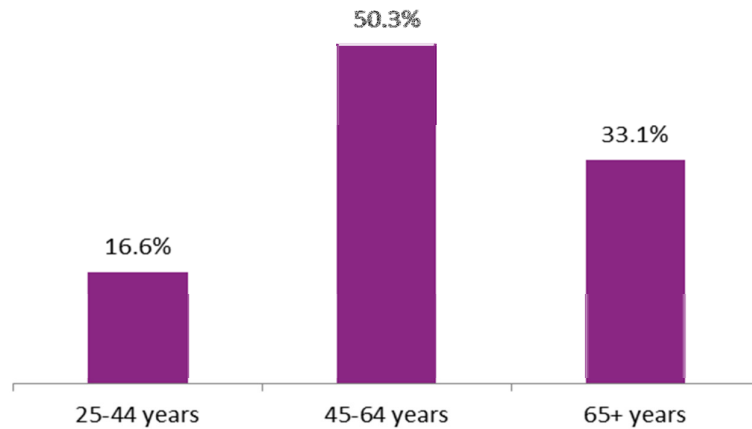


Figure 2.2: What was your age on your last birthday? (base – 145)



The majority of respondents were aged between 45 and 64 (50%) and a third (33%) of respondents were aged 65 or over. The age categories of the borough, from the census 2011 data, are as follows:

- Age category 25 – 44 years made up 22.8% of the overall population
- Age category 45 – 64 years made up 22.8% of the overall population
- Age category 65+ years made up 18.8% of the overall population

13% of respondents indicated that they have a disability or are deaf.

Figure 2.3: Are you a deaf person or do you have a disability? (base – 147)

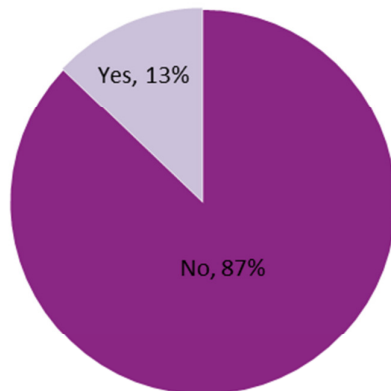
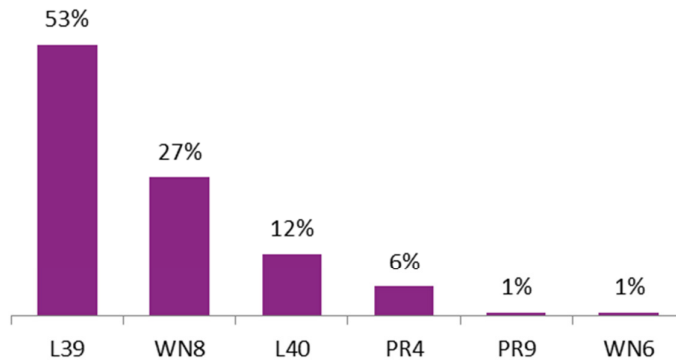


Figure 2.4: What is your home postcode? (base – 139)



Around half of the residents, who provided their postcode, lived towards the South of Ormskirk with just less than a third of residents from the area surrounding Skelmersdale. Fewer responses came from residents who lived North east of Ormskirk (17 responses) and from the area West of Preston (8 responses).

Of the other demographic questions included in the survey:

- 67% of respondents identify themselves as of Christian faith, 16% have no faith and 18% preferred not to say
- 98% are of White British ethnic background and 2% are of either black, mixed or another ethnic background. This is broadly in line with the 2011 census data where less than 1% of residents had a mixed ethnicity.
- 77% of respondents are heterosexual and 20% preferred not to say, four individuals identified as either bisexual or gay
- No respondents identified as transgender, 8% preferred not to say

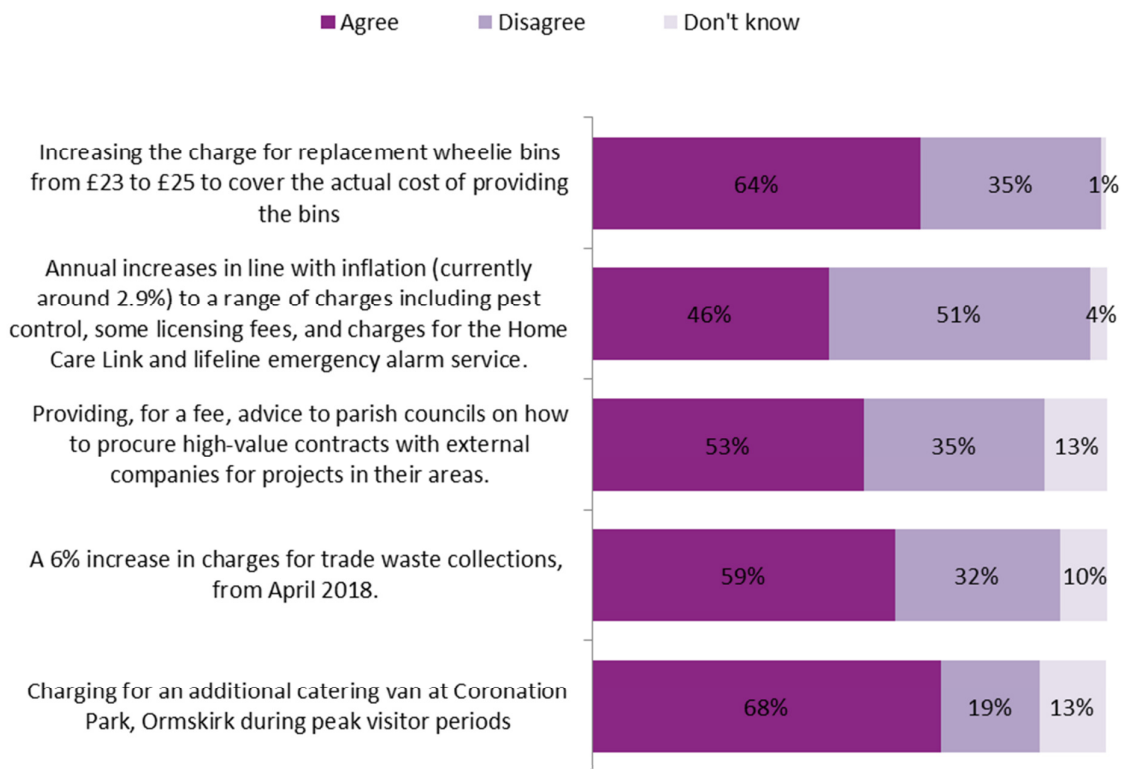
3 Main Findings

3.1 Increasing fees and charges

Of the range of proposed areas of additional income identified in the survey, the highest level of agreement amongst residents is for charging for an additional catering van at Coronation Park (68%). Less than half (46%) of residents agree with the proposal to increase a range of charges in line with inflation, including pest control, licensing and charges for Home Care Link.

14 of 19 respondents who indicated that they or an immediate family member uses the Home Care Link service disagree with the proposal to increase a range of charges in line with inflation. Some comments suggested that whilst they agree with increasing charges for services like pest control and licensing, they do not feel charges for Home Care Link should be increased.

Figure 3.1: Do you agree or disagree with the following proposed areas for additional income? (base – 142 to 145)

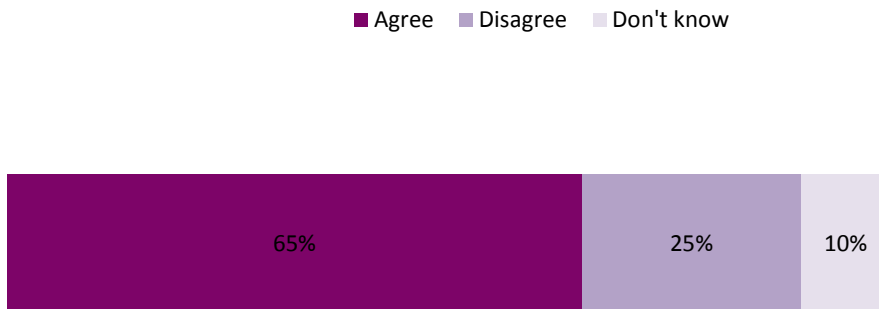


3.2 Bus station departures

Currently, the fees that bus companies using Ormskirk bus station pay is set at 7.5p per departure and this amount has not been raised since 1981. The Council is proposing to increase this fee to 50p per departure, bringing West Lancashire in line with other bus stations in the region and generating £24,000 per year.

25% of respondents disagree with the proposal. Those more likely to disagree with the proposed annual charge appear to be residents aged 65 or over (40% disagree compared to 17% of 25 to 44 year olds).

Figure 3.2: Do you agree or disagree with the proposal to raise the bus station departure fee? (base – 149)



Within the comments received from residents on the bus service proposals key themes covered:

Concerns that the changes may impact on the bus services provided

“Will this lead to a reduced bus services in an area where the bus service is poor anyway?”

“Need to watch that bus companies do not reduce bus services”

Concerns that the additional costs may be transferred into bus ticket price

“Providing it doesn't get passed onto passengers - fares are already too high!
This will put up the price of a bus journey”

“The bus companies putting the cost onto travellers fares instead of reducing their profits”

Increases in charges should be raised gradually

“The charge may be increased in increments until the charge is brought in line with
other bus stations in the region?”

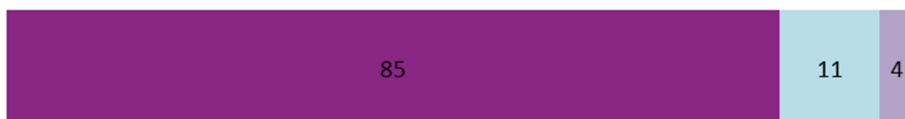
“Increasing the bus fee so rapidly is bound to cause issues. Any increases should be
staggered”

3.3 The Mayor

In order to make savings, the Council is proposing changes to the mayoral budget. This includes ending the provision of the Mayor's civic car and chauffeur service. 85% of respondents agreed with the proposal.

Figure 3.3: Do you agree or disagree with the proposal to end the provision of the Mayor's civic car and chauffeur/ attendant? (base – 151)

■ Agree ■ Disagree ■ Don't know

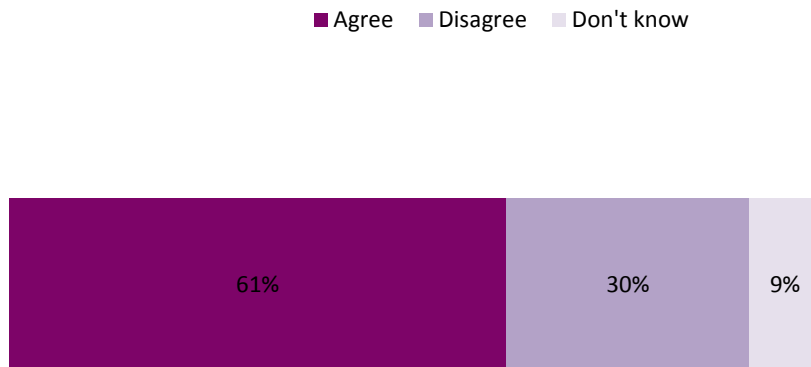


Additional to the termination of the civic car and chauffeur service, the consultation put forward other proposals to reduce the role of the Mayor. These include:

- Ceasing the Mayor’s Charity Committee and associated fundraising activities
- Ceasing visits to local community and voluntary organisations, care home, schools, businesses, etc. and representing the borough at various church services and events outside the area
- Ceasing the hosting of events to promote civic pride, such as honouring individuals or groups to recognise excellence or contribution to the community and engaging with schools and visitors to the area
- Chairing Council meetings only and ceasing all other functions

61% of respondents agreed with these proposals to reduce the role of the Mayor. 67% of those over the age of 65 agree with the proposals compared to 54% of 25 to 44 year olds.

Figure 3.4: Do you agree or disagree with the proposal to reduce the role of the Mayor? (base – 147)



Of the comments received on this matter, the key themes included:

Lack of need for a Mayor

“Cities require Mayors. Ormskirk does not require a Mayor. This is a total waste of funds. It is an income spend that isn't required”

“We do not need a Mayor. Would rather we spend the funds where most needed.”

Role of the Mayor is important

“I think it is important that the Mayor be seen out and about the District at various events as has happened in the past”

“Broadly this is a backwards step, I would argue that West Lancashire Mayor does not do enough publicity for the region and should in effect do much more”

At least attend Remembrance Sunday/ ceremonial events

“It is largely a ceremonial role that incurs high unnecessary costs. Stop the 'nice to do' activity and keep the activities that actually deliver an output. Attendance at Remembrance Sunday and Armed Forces Commemoration should be maintained as this shows civic pride and respect”

“I think that the role of Mayor should still exist but in a less active role. In order to promote West Lancashire, it is good to have a figurehead such as the mayor, however the role ought to be 'streamlined' to include the Charity Committee and important local events such as Remembrance Day, civic pride events, representation at the High School's award ceremony etc.”

3.4 Home Care Link

The Home Care Link emergency response system currently provided operates on a deficit of around £70,000 per year. The Council proposes to review the way the service is delivered to ensure that it, at a minimum, breaks even.

14% of respondents either use the Home Care Link or Lifeline Alarm services themselves or have an immediate family member who does.

Figure 3.5: Do you or any member of your immediate family use the Home Care Link or Lifeline Alarm services? (base – 146)

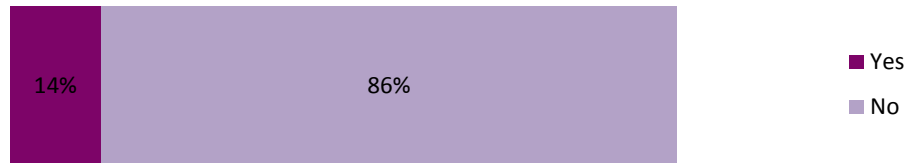
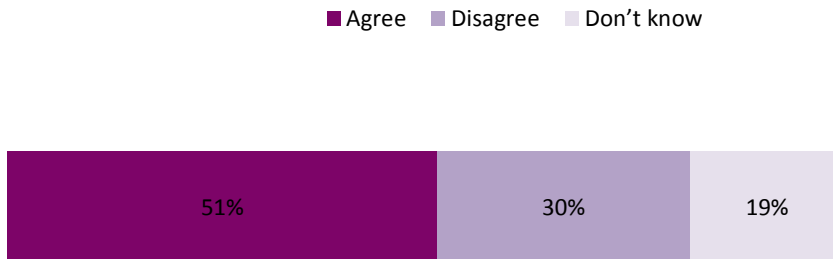


Figure 3.6: Do you agree or disagree with the proposal to review the Home Care Link system (base – 146)



Key themes from comments received to this proposal covered:

This system is essential

“I know what it’s like to care for an elderly vulnerable relative who has since passed away, but any help with care was essential. This service is essential care and should not be reduced or any additional costs to its users”

“I work with families this is a vital link to the many people who live alone with serious health conditions. This cannot be stopped. It should be part of the social services budget or palliative care budget depending on the situation....maybe a contribution from the family can be suggested or a very small increase”

Cuts to the most vulnerable groups should be avoided

“The service is wonderful in the current climate we should be helping the vulnerable”

“It is essential to maintain this service to the elderly and vulnerable in society. Extremely important”

Review the service to promote best practice and costs

“I agree this should be run more business-like and bring income into the Council. This is a very important service for the community of West Lancashire”

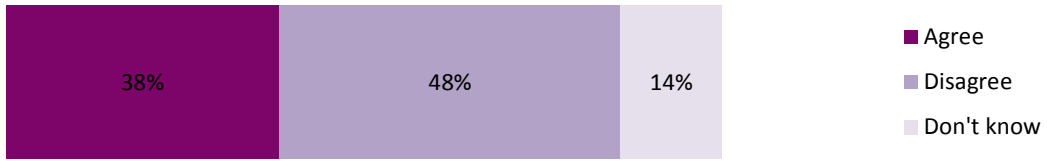
“Home Care Link is a vital & very much valued service for elderly/vulnerable people in West Lancs & surrounding areas As such, all possible ways of improving the efficiency of the service must be examined, proposed & implemented. I very much agree that the service MUST continue efficiently”

3.5 Street Cleaning and Grounds Maintenance Services

The Council proposes to undertake a review of the street cleaning and ground maintenance services currently provided in order to maximise efficiencies and produce a set of core service standards based on the needs of the borough.

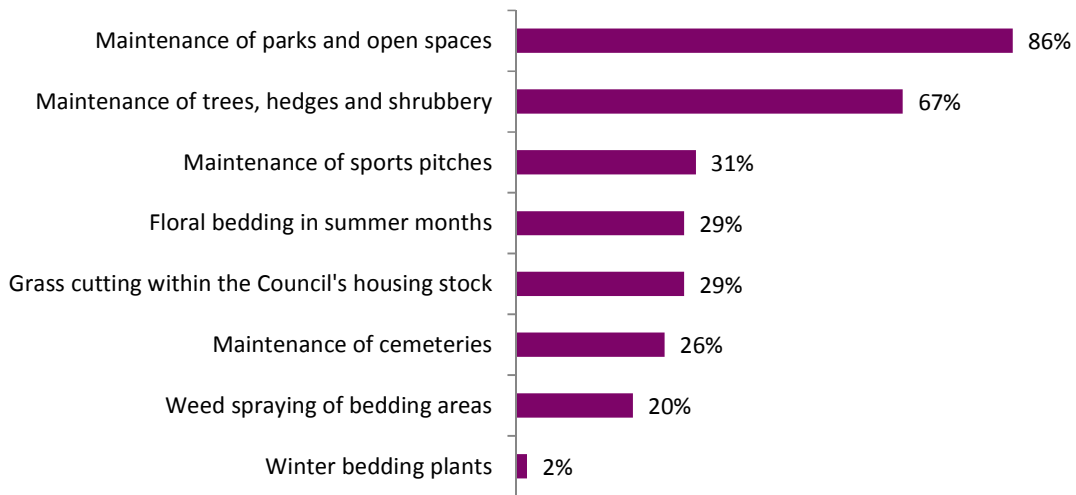
The majority of respondents (48%) disagree with conducting this review.

Figure 3.7: Do you agree or disagree with the proposal to undertake a review of the street cleaning and grounds maintenance services? (base – 149)



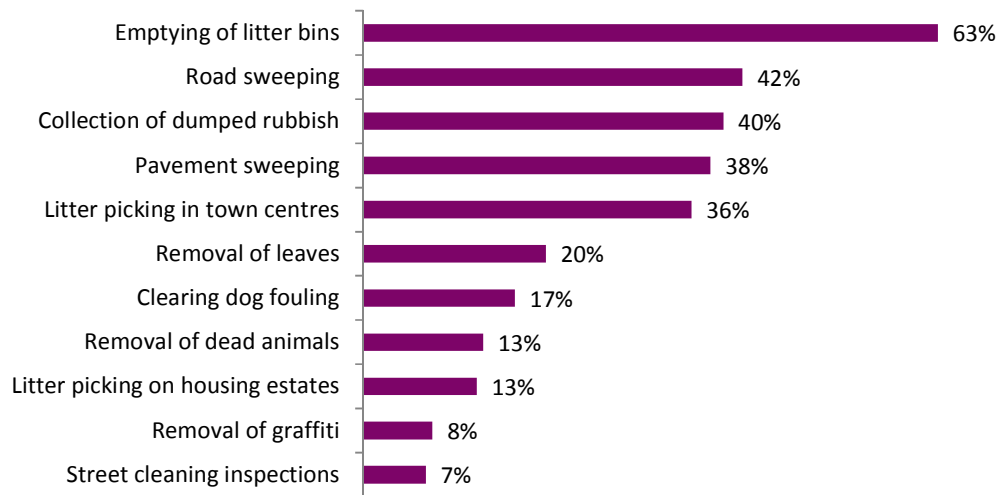
Maintenance of parks and open spaces was regarded as the most important grounds maintenance service (86%), with maintenance of trees, hedges and shrubbery (67%) and maintenance of sports pitches (31%) following this.

Figure 3.8: Which of the following grounds maintenance services do you think are most important? (base – 147)



Emptying of litter bins was regarded as the most important street cleaning service (63%), with road sweeping (42%) and collection of dumped rubbish (40%) following this.

Figure 3.9: Which of the following street cleaning services do you think are most important? (base – 144)



Key themes from comments received to this proposal covered:

Current maintenance services are lacking

“Making these cuts will affect the impression of the borough which already looks unkempt due to the reduced grass cutting”

More fines for waste offences (e.g. litter, dog-fouling, bonfire misuse, etc.)

“Start issuing penalties to people who drop litter, cigarette ends etc.”

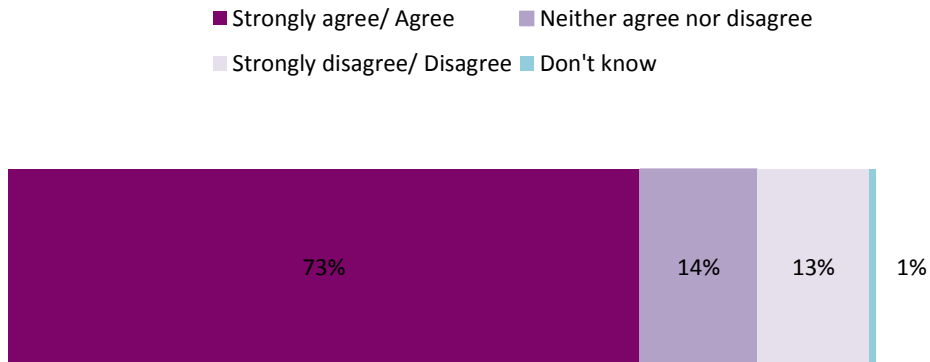
Maintenance is essential to promote a positive impression for visitors

“The main arteries into the town are crucial - this is the first impression any visitors to the town have of the place. It is therefore vital that verges are cut regularly, gutters are kept free of weeds”

3.6 Overall Measures

73% of respondents to the public consultation strongly agree or agree that they understand the challenges that the Council faces to find new ways of achieving savings and increasing income from the services it delivers.

Figure 3.10: To what extent do you agree or disagree with the statement – ‘I understand the challenges that the Council faces to find new ways of achieving savings and increasing income from the services it delivers’? (base – 148)



Finally, residents were given the opportunity to make any further comments or suggestions about how the Council could make savings or increase income. Comments given included such key themes as:

Less Councillors/ reduce Councillors' allowances

“Have less Councillors”

“Councillors should only receive their allowance/s if they have attended at least 80% of council meetings, unless they have a serious illness”

Review council staffing numbers, wages, and benefits

“Annual review of staffing needs and salaries”

Student service charges

“I believe the Council should charge students or their landlords council tax for the service they receive they have numerous bins which often are left over flowing”

“A token charge to students for rubbish collection would help”

West Lancashire
Meeting the Budget Challenge
2017 Consultation – Organisations



in:fusion

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September 2017

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1 Executive Summary

34 responses were received to the 2017 Meeting the Budget Challenge consultation from organisations.

The table below provides a summary of the level of agreement for each proposal in the consultation, ordered by those proposals with the highest agreement levels. Not all 34 respondents to the consultation answered every question. (Rounded numbers, presented in tables throughout this report, may not equal the total due to rounding differences).

The majority of organisations and stakeholders agree that they understand the challenges that the Council faces to find new ways of achieving savings and increasing income.

The savings proposal with the strongest level of disagreement amongst stakeholders is the proposal to review the range of options to reduce the role of the Mayor. From the comments received this appears to be because organisations feel that the Mayor's role is important for significant events such as Remembrance Sunday and is the visible face of local Government. However, some comments also suggest that one solution would be to conduct a review to '*slim down*' the role and reduce the expense.

Proposals	Agree	Disagree	Don't know
Increasing the charge for replacement wheelie bins from £23 to £25 to cover the actual cost of providing the bins	76%	12%	12%
Annual increases in line with inflation (currently around 2.9%) to a range of charges including pest control, some licensing fees, and charges for the Home Care Link and lifeline emergency alarm service for elderly and vulnerable residents	65%	26%	9%
Providing, for a fee, advice to parish councils on how to procure high-value contracts with external companies for projects in their areas e.g. environmental improvements, purchase of play equipment	42%	30%	27%
A 6% increase in charges for trade waste collections, from April 2018. Our trade waste service is available to business premises; the charge depends on the amount of waste that is	68%	15%	17%

collected. The increase would cover the rising costs of collection and disposal			
Charging for an additional catering van at Coronation Park, Ormskirk during peak visitor periods	64%	18%	18%
Increase departure fees to bus companies who use Ormskirk station from 7.5p to 50p	68%	18%	14%
End the provision of the civic car and Chauffeur/ Attendant	76%	15%	9%
Range of other options to reduce the role of the Mayor	34%	51%	15%
Review of the Home Care Link service to ensure that it breaks even	78%	11%	11%
Review of street cleaning and grounds maintenance services	53%	18%	29%
Understand the challenges the Council faces to achieve savings and increase income	81%	3%	16%*

**includes 'Neither agree nor disagree'*

2 Background and Methodology

2.1 Background

West Lancashire Borough Council needs to make savings, efficiencies and increase income in order to balance the budget for 2018/19.

The Council developed a range of proposals in 2017 which were approved for consultation with residents and organisations in the borough. Residents' views will be considered before any final decisions are made on the Council's budget for 2018/19.

The aim of the consultation is to understand whether residents and organisations agree or disagree with the proposals and what impact these would have if they are implemented. The findings of the consultation will inform the decision-making process on the Council's budget.

This report focuses on the feedback received from **organisations** in the borough.

2.2 Methodology

A targeted online consultation survey was developed for organisations in West Lancashire to give their views on proposals around the Council's budget. The six week consultation went live on Monday 24 July 2017 and closed on Sunday 3 September 2017, except for Parish Councils who were granted a short extension which closed on 13 September 2017.

The organisations' survey was hosted on the Council website.

In relation to each of the savings proposals, some facts and figures were provided giving further information including how much money would be saved. Respondents were also invited to give comments about each proposal and any impact it might have.

In total, **34 responses were received from organisations**, of which two were paper returns. By comparison, 38 responses were received from organisations to the 2016 budget consultation and 30 were received in 2015. Therefore this represents a broadly similar response rate when compared to previous years.

The purpose of the consultation was to give organisations the opportunity to give their views on the Council's budget proposals and provide insight into any impact these would have. Therefore it should not be considered a statistically representative piece of research which represents the views of all organisations in the borough.

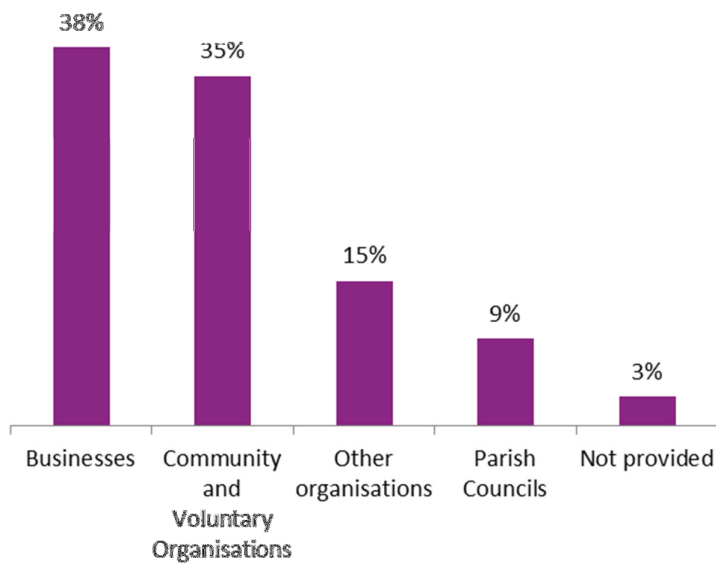
The 'base' totals included for each question within this report refer to the total number of responses to that particular question. Whilst 34 organisations completed the survey, some did not answer every question.

A number of open-ended questions were included in the survey to give people the opportunity to comment on the proposals. As part of the report, these comments have been independently reviewed and summarised into key themes during the analysis process.

2.3 Who responded?

Of the 34 organisations who responded, around half are community/ voluntary organisations and organisations with similar community aims. A third of respondents were businesses and three were Parish Councils. One respondent to the consultation did not indicate which organisation they were representing.

Figure 2.1: Type of organisations who responded (base – 34)



3 Main Findings

3.1 Raising Income by Increasing Fees and Charges

The Council proposes to generate an additional £80,000 of income each year by increasing, where appropriate, some fees and charges. The majority of organisations agree with most of the proposals, results of which are outlined below for individual proposals.

Figure 3.1: Increasing the charge for replacement wheelie bins from £23 to £25 to cover the actual cost of providing the bins? (base – 34)

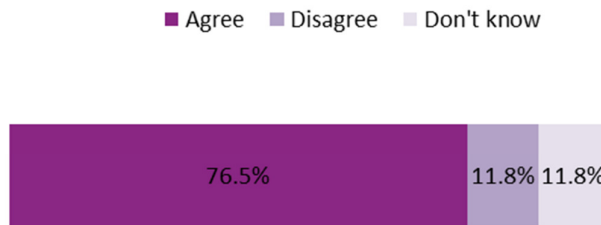


Figure 3.2: Annual increases in line with inflation (currently around 2.9%) to a range of charges including pest control, some licensing fees, and charges for the Home Care Link and lifeline emergency alarm service for elderly and vulnerable residents? (base – 34)

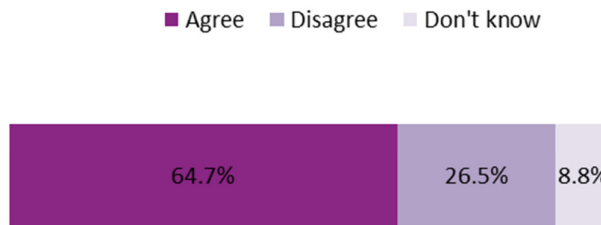


Figure 3.3: Providing, for a fee, advice to parish councils on how to procure high-value contracts with external companies for projects in their areas e.g. environmental improvements, purchase of play equipment. (base – 33)

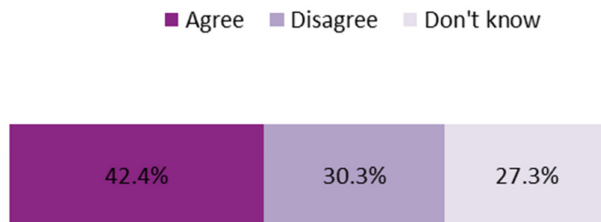


Figure 3.4: A 6% increase in charges for trade waste collections, from April 2018. Our trade waste service is available to business premises; the charge depends on the amount of waste that is collected. The increase would cover the rising costs of collection and disposal. (base – 34)

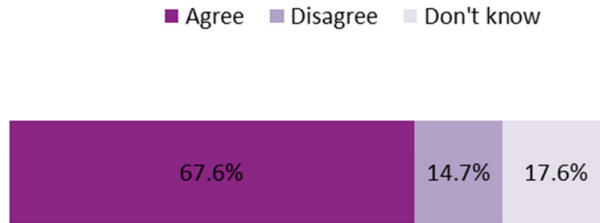
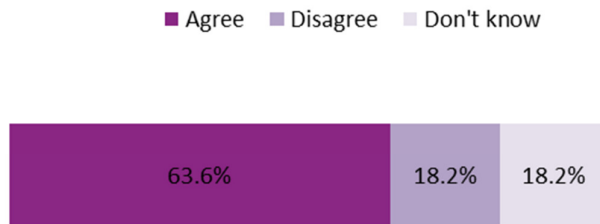
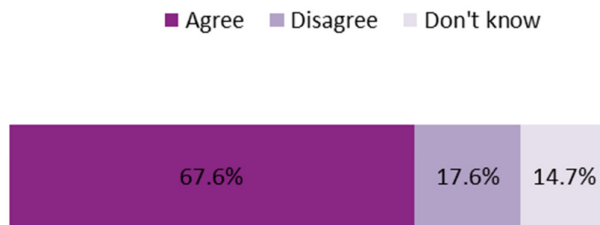


Figure 3.5: Charging for an additional catering van at Coronation Park, Ormskirk during peak visitor periods (base – 33)



Bus companies who use Ormskirk bus station pay a fee to the Council for each bus service that leaves the bus station. Currently, this fee is 7.5p per departure. It has not been increased since 1981. We propose to increase this to 50p per departure, bringing West Lancashire in line with other bus stations in the region, and generating £24,000 per year.

Figure 3.6: Do you agree or disagree with the proposal for the Council to increase the charge for each bus service that leaves the bus station? (base – 34)



Respondents were asked if they had any comments about these proposed increases and any impact they might have. The main concerns were around any impact on the potential of a reduction in services or increased fare prices. Whilst an increase in charges was seen as

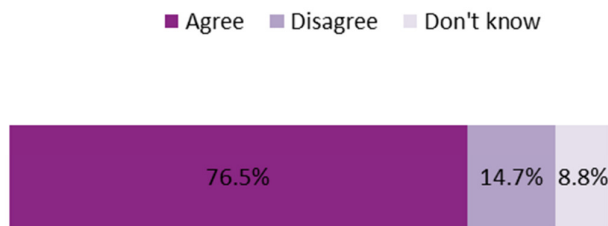
appropriate from several comments a couple did suggest that the increase could be completed in stages as opposed to all at once.

3.2 The Mayor

The Council is proposing to end provision of the civic car and Chauffeur/ Attendant. This means that the Mayor would drive him/herself to functions and claim mileage allowance for the distance travelled, or make other travel arrangements, e.g. hire a taxi. For some high profile special events, a special vehicle could be hired.

This would save approximately £31,000 per year for the provision of the Chauffeur/ Attendant. Attendance by the Mayor at some functions may not be possible under the revised arrangements.

Figure 3.7: Do you agree or disagree with the proposal to end provision of the civic car and Chauffeur/ Attendant? (base – 34)

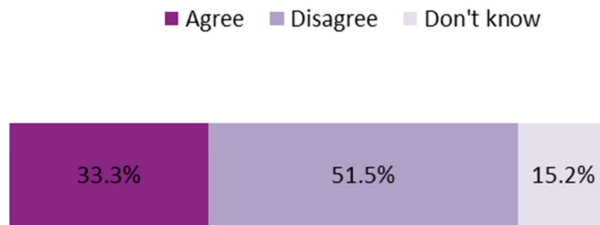


In addition to this, the Council proposed to look at a range of options to reduce the role of the Mayor, saving up to £32,000 per year. The reduction in the role could involve:

- Ceasing Mayor's Charity Committee and associated fundraising activities; and/ or
- Ceasing visits to local community and voluntary organisations, care homes, schools, businesses etc and representing the borough at various church services and events outside the area; and/or
- Ceasing the hosting of events to promote civic pride, such as honouring individuals or groups to recognise excellence or contribution to the community and engaging with schools and visitors to the area; or
- Chairing Council meetings only and ceasing all other functions, including attendance at events such as Remembrance Sunday and other ceremonial events such as Armed Forces Commemoration

This would lead to a loss of Mayoral presence throughout the borough and the wider area.

Figure 3.8: Do you agree or disagree with the proposal to look at a range of options to reduce the role of the Mayor, saving up to £32,000? (base – 33)

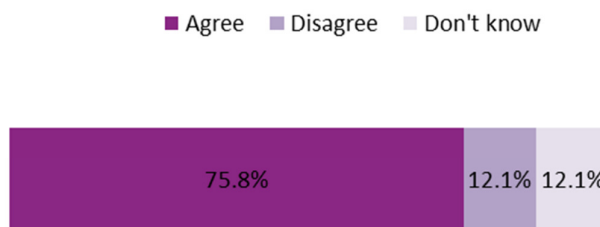


Respondents were asked if they had any comments about these proposals and any impact they might have. Comments generally reflected that the mayoral role was seen as important to and a valuable support for the borough whilst understanding that at a time of austerity it was sometimes a non-essential luxury. However, there appeared to be a reluctance to dispense entirely with the role of Mayor and comments were more focused on reducing costs by removal of the civic car or by a reduction in events that are attended.

3.3 Home Care Link

The Council proposes to review the Home Care Link emergency response system which provides help 24/7 to elderly and vulnerable residents in sheltered housing schemes. We propose to review the way this service is provided to ensure that it at least breaks even. This may involve trying to bring in more business from other organisations and operating more efficiently.

Figure 3.9: Do you agree or disagree with this proposed review? (base – 33)

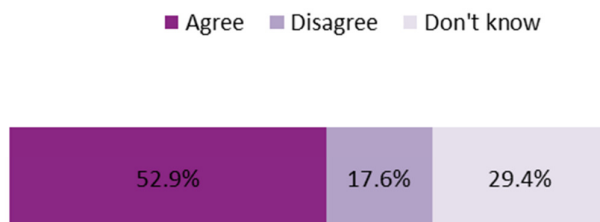


Respondents were asked if they had any ideas or suggestions for the proposed review, or any comments around the impact any potential change to the current service offer might have. Although there was a tentative agreement from some respondents that a review doesn't necessarily mean a negative outcome there was significant agreement that vulnerable groups should be a priority. A few comments suggested that they could not make an informed decision without further information.

3.4 Street Cleaning and Grounds Maintenance Services

The Council proposes to carry out a review of our street cleaning and grounds maintenance services.

Figure 3.10: Do you agree or disagree with this proposed review? (base – 34)



Respondents were asked to choose which of the following grounds maintenance services they thought were most important (Selection was up to 3).

Grounds maintenance services options	No of responses
Maintenance of parks and open spaces	29
Maintenance of cemeteries	18
Maintenance of sports pitches	14
Maintenance of trees, hedges and shrubbery	12
Floral bedding in summer months	7
Grass cutting within the Council's housing stock	7
Weed spraying of bedding areas	1
Winter bedding plants	0

Street cleansing services options	No of responses
Emptying of litter bins	24
Litter picking in town centres	13
Road sweeping	12
Collection of dumped rubbish	11
Pavement sweeping	9
Removal of dead animals	6
Clearing dog fouling	6
Removal of graffiti	6
Litter picking on housing estates	3

Removal of bonfires	1
Street cleaning inspections	1
Removal of leaves	0

3.5 Any further comments

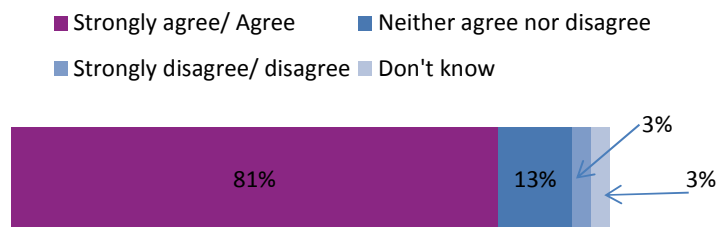
Organisations were given the opportunity to make any further comments or suggestions around the proposed review or to make any comments around the impact any potential change to current service offer might have. The main comments centred on encouraging the community to take responsibility for their local environments including encouraging communities and schools to contribute. Concerns were that green spaces should remain accessible and were important to various aspects of community living such as appearance and providing nice spaces for children.

3.6 Overall Measures

26 of 32 organisations who responded to this question strongly agree or agree that they understand the challenges the Council faces to find new ways of achieving savings and increasing income from the services it delivers.

Just one organisation strongly disagreed with the statement.

Figure 3.11: To what extent do you agree or disagree with the statement – ‘The organisation I represent understands the challenges the Council faces to find new ways of achieving savings and increasing income from the services it delivers’? (base – 32)



Organisations were given the opportunity to make any further comments or suggestions around how the Council could make savings or increase income. Savings could be made by empowering and supporting community initiatives (five comments), reviewing all services (two comments), reducing mayoral and Councillor expenses (two comments) and one comment suggested collaborating with other Councils to share services was a possible solution.

APPENDIX 3 - POLICY OPTION PROPOSALS

Ref Code	Policy Option/Initiative	Estimated net ongoing savings generated (£000s) from April			Impact of policy option on service/customers	Comments (including exit costs)
		18	19	20		
		18	19	20		
OP12	Increase Bus Station departure charges to Bus Companies from 7.5p per departure to 50p	24	24	24	Bus operators have objected to proposed increases in the charges in the past. They could stop using the bus station and drop off / pick up at bus stops instead.	Charges have not increased since 1981. Other bus stations in the area and in Lancashire are charging between 50p and 75p per departure.
OP13	Home Care Link – look to at least break even or else review the provision and model of service delivery	70	70	70	The impact would be dependent on the development of the service and the outcome of reviews.	This trading account currently has a budgeted net deficit of £70,000 per year. It is a discretionary service that the Council does not have to provide.

Ref Code	Policy Option/Initiative	Estimated net ongoing savings generated (£000s) from April			Impact of policy option on service/customers	Comments (including exit costs)
		18	19	20		
OP14	General Income Programme e.g. new trading areas, expansion of existing trading, increase in level of existing fees and charges etc	80	130	180	Generation of additional income from increasing and extending fees and charges.	<p>This programme covers a range of items including:</p> <ul style="list-style-type: none"> • Where appropriate, increases in the level of fees and charges each year in line with inflation • Charging for the provision of procurement advice to third parties • Increasing Trade Waste Charges by 6% from April 2018 • Increasing the charge for replacement waste containers from £23 to £25 from April 2018 • Increasing planning application fees in line with government guidelines where possible • Charging for an additional catering van at Coronation Park, Ormskirk during peak visitor periods
OP15	Cease provision of civic car and chauffeur.	36	36	36	Reduced officer support for mayoral role, and reduction in level of civic activity to within the Borough.	<p>Mayor to self-drive / order a taxi to all functions and to claim mileage allowance for distance travelled as per the Member Allowances scheme. Mayoral visits to be restricted to within the Borough.</p> <p>Potential exit costs of £32,700.</p>

Ref Code	Policy Option/Initiative	Estimated net ongoing savings generated (£000s) from April			Impact of policy option on service/customers	Comments (including exit costs)
		18	19	20		
OP16	Reduced Civic Services and Mayoral Role – no officer support for the Mayor's Charity and reduce visits to those within the Borough	8	8	8	Loss of civic presence outside of the Borough and potential reduction in funding contributions to local charities.	Potential exit costs of £22,980, and savings subject to job evaluation of new post. Members may wish to consider a reduction in the level of Allowances paid to the Mayor and Deputy Mayor to reflect the reduction in the level of duties to be undertaken. The current level of allowances is £8,910 for the Mayor and £1,760 for the Deputy Mayor.
OP17	Cross service review of Grounds Maintenance and Street Cleansing Services	75	150	150	The impact would depend on the outcome of the review. Existing service specifications have not been considered in recent times	In addition to savings for the GRA there would also be savings for the HRA. Funding of £25,000 from the Policy Options Reserve will be used to employ consultants to undertake this review.
OP18	Senior Management Team restructuring. This option would involve the deletion of a Director post, the reallocation of duties amongst the remaining three Directors, and the restructuring of the Street Scene, and Leisure and Wellbeing Admin teams.	101	101	101	No significant service impact expected.	The total saving from this restructuring would be £100,805, subject to job evaluation of new and amended posts. The exit costs for the voluntary redundancy of the Director of Leisure and Wellbeing would be £260,320. The maximum potential exit cost from the full restructuring would be £288,444 giving a payback period of 2.86 years.
TOTAL		394	519	569		

Equality Impact Assessment Form



Directorate: Legal and Democratic Services		Service: Member Services	
Completed by: Jacky Denning		Date: 4 October 2017	
Subject Title: Policy Options 2018-21 (OP16 – Reduced Civic Services)			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	Yes		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No		
Details of the matter under consideration:	To reduce the role of the Mayor and remove officer support in relation to the Mayor's Charity Events and Committee.		
<p><i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):		<i>*delete as appropriate</i>	
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Potentially charities in the Borough. Organisations outside the borough		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A		

Which of the protected characteristics are most relevant to the work being carried out?	N/A
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Individuals and organisations in the Borough and wider area.
What will the impact of the work being carried out be on usage/the stakeholders?	There will be no Mayoral presence at functions being held outside the borough. There may also be a reduction in the amount of funding given to charities.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	There were mixed views from respondents in relation to the proposal to reduce the role of the Mayor. The majority of individuals who responded agreed with the proposal, however more than half of the organisations who responded disagreed with the proposal. The proposal has therefore been amended to reflect these views.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	The consultation was available to all users/stakeholders to respond.
If any further data/consultation is needed and is to be gathered, please specify:	None
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	N/A
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No action.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The Council on 18 October 2017 will consider the assessment during consideration of this report.

Equality Impact Assessment Form



Directorate: Legal and Democratic Services	Service: Member Services
Completed by: Jacky Denning	Date: 4 October 2017
Subject Title: Policy Options 2018-21 (OP15 – Cease Provision of Civic Car and Chauffeur)	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	<i>*delete as appropriate</i>
	No
Is a service being designed, redesigned or cutback:	Yes
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No
Details of the matter under consideration:	To cease provision of the Civic Car and Chauffeur to the Mayor
<i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	The Mayor and Deputy Mayor.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A

Which of the protected characteristics are most relevant to the work being carried out?	N/A
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	The Mayor and Deputy Mayor.
What will the impact of the work being carried out be on usage/the stakeholders?	The users will be required to take a taxi or self-drive to events, however these will be limited to events being held in the borough.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	The majority of the respondents agreed with the proposal to end the provision of the civic car and Chauffeur/ Attendant.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	The consultation was available to all users/stakeholders to respond.
If any further data/consultation is needed and is to be gathered, please specify:	None
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	N/A
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No action.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The Council on 18 October 2017 will consider the assessment during consideration of this report.



COUNCIL: 18 October 2017

Report of: Borough Treasurer

Contact for further information: Mr M Kostrzewski (Extn.5374)
(E-mail: Mike.Kost@westlancs.gov.uk)
Mr J Smith (Extn.5093)
(E-mail: Jonas.Smith@westlancs.gov.uk)

**SUBJECT: TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS
MONITORING 2017-18**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To set out details of Treasury Management operations in the year to date and to report on the Prudential Indicators for 2017/18, where available.

2.0 RECOMMENDATION

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

3.0 BACKGROUND

3.1 The Council has adopted the CIPFA Treasury Management Code of Practice in Local Authorities. One condition of the Code is that a report must be made twice yearly to the Council on the activities of the Treasury Management function including the exercise of Treasury Management powers delegated to the Borough Treasurer.

3.2 The CIPFA Prudential Code for Capital Finance sets out a range of prudential indicators to assess whether an authority's financial position is prudent, affordable and sustainable. It is best practice that performance on these indicators is reported to Members on a regular basis.

4.0 PRUDENTIAL INDICATORS

- 4.1 One of the Council's main strengths is its healthy financial position, and the Council has consistently received reports from its external auditors stating that the Council has a strong financial standing. This position is confirmed in this latest set of prudential performance indicators that are set out in the Appendix.
- 4.2 Table 1 in the Appendix details the estimated and the projected outturn in relation to the principle of affordability contained within The Prudential Code for the current financial year. The first indicator shows that the GRA has a low ratio of financing costs compared to net revenue stream. The HRA position has changed markedly since the introduction of self-financing in March 2012. The borrowing undertaken of some £88.212m attracts annual interest payments of £3.057m, which represents 12.65% of revenue, after allowing for some investment income.
- 4.3 Table 2 in the Appendix details the Prudential Indicator in relation to capital expenditure, which fall under the principle of prudence. The estimate with slippage, revisions and amendments, was reported at Cabinet on 12th September 2017. This report shows that expenditure is not being committed above budget targets
- 4.4 There is also a requirement to report upon the Capital Financing Requirement of the Council. This indicator details the authority's underlying need to borrow for a capital purpose. At the end of the financial year 2016/17 the capital financing requirement stood at £101.727m. Due to its nature this indicator can only be reported upon when the non current asset accounts are closed, and the figure for the 2017/18 financial year will not be available until Summer 2018.
- 4.5 With regard to the Treasury Management Prudential Indicators two of these relate to approved borrowing limits namely, the authorised limit for external debt and the operational boundary. Council agreed these limits at, £112.0m and £108.1m respectively at its meeting on 22nd February 2017, and we are currently well within these limits. Table 3 in the Appendix details the borrowing structure and interest payments associated with our debt.

5.0 INVESTMENTS

- 5.1 The Treasury Management function within Local Government still remains very subdued, with a clear priority to protect money invested as opposed to trying to obtain the highest returns. There have been on average fewer funds available for investment during the current year compared to last year. The average amount of funds invested for the first 5 months of 2017/2018 was £15.9m compared to £17.3m after the same period in 2016/2017.
- 5.2 The Base Rate started the year and remains at 0.25%. Our financial advisors, Capita have forecast that the base rate will remain at this level until the end of March 2019. It is therefore anticipated that this year, we will earn less interest than in 2016/17. The other main factor in the anticipated reduction in investment income is as mentioned in paragraph 5.1, i.e. an average £1.4m less out on investment compared to last year. Additionally, the average interest rate earned on investments to date this year has decreased from 0.509% in 2016/17 to 0.213%.

5.3 The Council's strict investment criteria combined with the current state of the financial markets means that there are only a limited number of counter parties that we can invest in. These criteria mean that the Council will only invest with other Local Authorities or with UK based Banks or Building Societies with an excellent credit rating. The maximum period for investments is also limited to 3 months. While these criteria limit the interest rates that can be achieved they do ensure that public funds are safeguarded.

5.4 The following table provides details on investment activity during the first 5 months of this year and last year.

	End of Aug 2017/18	End of Aug 2016/17
Investment levels		
Average Funds invested	£15.9 million	£17.3 million
External Investment Interest earned	£21,521	£42,967
Turnover	£29.75 million	£19.5 million
Number of individual investments	15	12
Average Rate earned on all investments	0.236%	0.509%
Number & type of organisations invested in		
Local Authorities	0	0
Building Societies	3	3
Banks	3	3

5.5 As part of the ongoing work to achieve Best Value in Treasury Management, we continually monitor our performance against a benchmark figure of the average 3-month LIBID interest rate. The position at the end of August is that we have exceeded this target, achieving an average rate of interest earned of 0.213%, on all investments, against the benchmark average of 0.18%.

5.6 Each year our treasury management advisors (Capita) undertake a review of our treasury management activities and this is set to take place in October of this year.

5.7 There is still a situation of safety first and precaution in the banking and monetary sector. However, Members should note that investments are only made in very secure financial institutions with excellent credit ratings and we have continued with the policy of limiting investments to a maximum length of three months. We liaise closely with money market brokers and our treasury advisors in order to anticipate the investment landscape ahead, so that we are in a good position to safeguard our investments.

6.0 TREASURY MANAGEMENT FRAMEWORK

6.1 There have not been any significant changes made to the treasury management framework in the year to date. It is standard practice that credit rating and other financial information are fully assessed before investments are made to ensure their security.

6.2 No changes have been made to the criteria used for deciding upon counterparties for investment purposes since last reported. Nor has the maximum amount and

loan period for investing with a single organisation changed. In addition no changes have been made to the list of Brokers used for investment purposes.

7.0 DEVELOPMENTS

7.1 CIPFA have issued consultations on proposed changes to the Code of Practice on Treasury Management and the Prudential Code. The closing date for this process is the end of September 2017. There are a number of proposals put forward and the results of the consultation and final implications will be reported in due course.

7.2 The Markets in Financial Instruments Directive, which is an EU Directive commonly referred to as MIFID ii. is coming in to force in the UK from January 2018. It is framework European Legislation with the objective of improving financial markets and investor protection. It is tightening current arrangements that were introduced in 2007 although it is considered that this will have limited impact on the Council.

8.0 SUSTAINABILITY IMPLICATIONS

8.1 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.

9.0 RISK ASSESSMENT

9.1 The formal reporting to Council of Prudential Indicators and Treasury Management performance is part of the overall framework set out in Codes of Practice to ensure that the risks associated with this area are effectively controlled. Given the Council's strict investment criteria the risk of loss of investment funds is low, however given that the sums invested can be very large, treasury management activities are included in the Council's Key Risk Register.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
2003	CIPFA Prudential Code for Capital Finance	Accountancy Office
2010	CIPFA Revised Treasury Management Code of Practice	Accountancy Office

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

Appendix A – Prudential Indicators

Appendix A - Prudential Indicators

Table 1 REVENUE

Estimate of Ratio of Financing Costs to net revenue stream

G.R.A.	Estimate	3.35%	
	Forecast		2.67%
H.R.A.	Estimate	12.65%	
	Forecast		12.69%

Estimate/Forecast of the incremental impact of capital decisions on the Council Tax

Incremental increase Band D:		£	£
	Estimate	Nil	
	Forecast		Nil

Note: The estimated figures relate to the indicators agreed by Council on 22nd February 2017 for 2017-18 financial year. Forecast indicators relate to the projected outturn for 2017-18.

Table 2 CAPITAL

Estimate of Capital Expenditure

		£ 000's
G.R.A.	Estimate with slippage	2,903
H.R.A.	Estimate with slippage	12,486
TOTAL		15,389

Table 3 Borrowing and Interest payment structure

All fixed rate loans:

£ Value	% Interest Rate	Period	Maturity date	£ Int p.a.
4,410,600	3.01	15	28/3/2027	132,759
4,410,600	3.30	20	28/3/2032	145,549
8,821,200	3.44	25	28/3/2037	303,449
8,821,200	3.50	30	28/3/2042	308,742
8,821,200	3.52	35	28/3/2047	310,506
8,821,200	3.53	37	28/3/2049	311,388
8,821,200	3.52	40	28/3/2052	310,506
8,821,200	3.51	42	28/3/2054	309,624
8,821,200	3.50	45	28/3/2057	308,742
8,821,200	3.50	47	28/3/2059	308,742
8,821,200	3.48	50	28/3/2062	306,977

Weighted average interest rate is 3.47%

Total interest charge p.a. is £3,056,986



CABINET: 12 September 2017

COUNCIL: 18 October 2017

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

**Contact for further information: Mr Peter Richards (Extn. 5046)
(E-mail: peter.richards@westlancs.gov.uk)**

SUBJECT: BROWNFIELD LAND REGISTER AND PERMISSION IN PRINCIPLE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To inform Cabinet of new Regulations which impose a requirement on the Council to prepare and maintain a Brownfield Land Register, the consequences of placing land on Part 2 of that Register, the resulting implications for the Council and to make provision in the Council's constitution for effective decision making.

2.0 RECOMMENDATIONS TO CABINET

2.1 That authority is delegated to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, to publish, review and maintain Part 1 of the Brownfield Land Register and to propose land for inclusion in Part 2 of the Register.

2.2 That authority is delegated to the Director of Development and Regeneration to carry out all necessary publication, notification and consultation procedures pursuant to recommendation 2.1 above.

3.0 RECOMMENDATIONS TO COUNCIL

3.1 That the following functions are delegated to the Planning Committee:

3.1.1 Power to approve sites for entry into Part 2 of the Brownfield Land Register and so grant Permission in Principle;

- 3.1.2 Power to decline to approve sites for entry into Part 2 of the Brownfield Land Register;
 - 3.1.3 Power to determine applications for Permission in Principle; and
 - 3.1.4 Power to determine applications for Technical Details Consent.
- 3.2 That authority is fully delegated to the Director of Development and Regeneration to determine applications for Technical Details Consent.
-

4.0 NEW LEGISLATION

4.1 In April 2017 the following two new pieces of legislation came into force:

- The Town and Country Planning (Brownfield Land Register) Regulations 2017 (to be referred to as “the Regulations” in this report) - <http://www.legislation.gov.uk/ukxi/2017/403/contents/made>
- The Town and Country Planning (Permission in Principle) Order 2017 (to be referred to as “the Order” in this report) - <http://www.legislation.gov.uk/ukxi/2017/402/made>

4.2 The Regulations require local planning authorities to prepare and maintain a Brownfield Land Register of previously developed land in their area which meet four criteria related to residential development and to publish their first such Register by 31st December 2017. The Register should have two parts. Part 1 includes all previously developed land in the local planning authority’s area that meets the following four criteria:

- (a) the land has an area of at least 0.25 hectares or is capable of supporting at least 5 dwellings;
- (b) the land is suitable for residential development;
- (c) the land is available for residential development; and
- (d) residential development of the land is achievable.

The criteria are defined further in Regulation 4, with the terms “suitable”, “available” and “achievable” specifically defined to aid the local planning authority in discerning which sites should be included on the Register.

4.3 Part 2 of the Register is a subset of Part 1. Part 2 will comprise only those sites in Part 1 that the LPA has decided that the land would be suitable for a grant of "Permission in Principle" (PiP) for residential development under Article 4 of the Order. PiP is similar to an outline planning permission in that further details must be submitted to and approved by the Council before any development can proceed, although only very basic details of the development proposal are required at PiP stage, including a red-line boundary plan for the site and a range for the number of housing units that the site could accommodate.

- 4.4 In order to include a site in Part 2, the local planning authority must first comply with Regulations 6 to 13 of the Regulations in that it must publicise, notify and consult on the intention to include sites in Part 2. The Regulations include exemptions for certain types of land where residential development of that land would be Schedule 1 or Schedule 2 development under the Environmental Impact Assessment Regulations 2011.
- 4.5 When deciding which sites to enter on the Register and exercising their functions under the Regulations a local planning authority must have regard to the Development Plan, national policies and advice and any guidance issued by the Secretary of State for the purpose of the Regulations.

5.0 IMPLICATIONS OF THAT NEW LEGISLATION

- 5.1 The Council has an obligation to prepare a Brownfield Land Register and update it at least once a year. In doing so, it must consider whether to place any of the sites in Part 1 of the Register on Part 2, and in so doing grant PiP to those sites. This new requirement is not especially onerous, even with the consultation requirements associated with Part 2 of the Register, but it does introduce a new burden on the Council, for which a New Burdens Grant has been given to the Council.
- 5.2 The Council will need to ensure its constitution provides for effective decision-making under the Regulations and the Order and some of the time periods for decisions are very short. The decision to grant planning permission is a non-executive function under the Local Authorities (Functions & Responsibilities) Regulations 2000, and the new Regulations provide for an amendment to the 2000 Regulations to the effect that the decision to enter sites on Part 2 of the Register is a non-executive function, as entering sites on Part 2 grants those sites PiP. The authority for making decisions on traditional planning applications rests with the Planning Committee, and so this report recommends to Council that the starting point for decision-making on those sites to be entered on Part 2 of the Register should be delegated to the Planning Committee.
- 5.3 Once sites have been entered on to Part 2 of the Register and have PiP, it is possible for applicants to bring forward applications for Technical Details Consent. Technical Details Consent (TDC) would be similar to the approval of reserved matters following the grant of outline planning permission.
- 5.4 The new procedures under the Regulations and the Order will ultimately create additional work for the Council in considering those sites that should be placed on the Register and dealing with any applications for TDC. There is a need to consider appropriate delegations for dealing with TDC applications given the short timescales required by the Order to determine such applications (10 weeks for a major development and 5 weeks for a development not considered to be major, compared to 13 weeks and 8 weeks respectively for a standard planning application), especially given that the implication of not determining TDC applications within the required timescales is that they will automatically be granted.

- 5.5 Further to the above, it is expected that, in due course, there will be two other routes created to granting PiP. The first will be through the allocation of sites in a Local Plan document, where local planning authorities will be able to choose to grant PiP to sites allocated in a newly adopted Local Plan document if they wish. The second will be through independent applications for PiP for non-major development made to local planning authorities.

6.0 PROPOSED ACTIONS AND NEXT STEPS

- 6.1 The preparation of the Brownfield Land Register (Parts 1 and 2), the publication of Part 1 and the consultation on proposals to include sites on Part 2 are all executive functions and are the subject of the recommendations to Cabinet in this report
- 6.2 It was hoped that a proposed Part 1 of the Register would be available for Cabinet to approve as part of this report, but DCLG only made Authorities aware in July of the very specific way in which they will require all Brownfield Land Registers to be published as part of their open data agenda, and the requirements will involve a significant level of work for authorities to prepare their first Register. As such, only a draft version in the Council's own format can be shared for information with Cabinet at the current time (see Appendix A).
- 6.3 This draft includes 32 previously developed sites that have been assessed as suitable and available for residential development, of which 21 already have planning permission or benefit from a Local Development Order. These must automatically be placed on Part 1 of the Register. The remaining 11 sites do not currently benefit from a planning permission (although one is the subject of a current application and several have recently expired permissions) but have been assessed against the four criteria listed at paragraph 4.2 above and found to be deliverable for residential development within the next 15 years. This draft gives an idea of what Part 1 of the Register will include in its first edition this year. By comparison, only 8 previously developed sites were assessed as not suitable and/or not available for residential development and have been excluded from the draft Part 1 of the Register.
- 6.4 Aside from DCLG's requirements for publication, the preparation of Part 1 of the Register is fairly straight forward, drawing from the Council's existing information on previously developed land contained within the Council's databases of sites with planning permission and from the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) which is updated each year and supported by frequent Call for Sites exercises. As such, the preparation and publication of Part 1 of the Register is not controversial and simply a reflection of facts and information available to the Council. To this end, recommendation 2.1 includes for the delegation of the authority to publish Part 1 of the Register each year to the Director of Development and Regeneration.
- 6.5 Government guidance indicates that local planning authorities should consider the suitability of all relevant sites on their Register for a grant of PiP, taking into account relevant policies in the development plan and other material considerations. A decision on whether to grant PiP to a site must be made in accordance with relevant policies in the development plan unless there are

material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.

- 6.6 The decision to include sites on part 2 of the Register, based on the sites included in the Part 1 of the Register as proposed, would be relatively uncontroversial, as all the sites would, in principle, be acceptable for residential development under the current Local Plan and be likely to gain outline planning permission if applied for. Therefore, recommendation 2.2 also includes for the delegation of the authority to consult on Part 2 of the Register, and on those sites to be entered on Part 2 of the Register, to the Director of Development and Regeneration.
- 6.7 With regard to the decision to enter sites into Part 2 and so grant PiP to those sites, it is considered that the final decision on this should be delegated by Council to the Planning Committee.
- 6.8 The requirements for a valid TDC application are the same as those for an application for full planning permission. A fee is payable for applications for TDC. An application for TDC must be decided in accordance with the terms of the permission in principle granted for the site. The requirements that apply to decisions on other types of application for planning permission also apply. When granting PiP to a site, local planning authorities can provide information on the relevant entry on the Register about what they expect the detailed proposals to include at the TDC stage.
- 6.9 In relation to making decisions regarding applications for TDC on sites granted PiP, it is recommended that decision-making on TDC applications is fully delegated to the Director of Development and Regeneration due to the short timescales for determining such applications (10 weeks for major developments and 5 weeks for non-major developments) and so these applications will not be able to be called-in by, or referred to, Planning Committee.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 The creation of a Brownfield Land Register is intended to facilitate the development of previously developed sites for residential uses where appropriate by, in essence, fast-tracking them through the planning process. To this end, the re-use of previously developed sites for new development, in principle, is sustainable and any negative implications of such a development should either be planned out through the TDC application process or the site should not even make it onto Part 1 of the Register in the first place.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 The preparation and publication of a Brownfield Land Register, in itself, does not create a particular financial or resource implication for the Council, particularly as the Council has been awarded £14,645 in New Burdens monies from DCLG to cover the costs of the first Brownfield Land Register. (Local planning authorities will receive further grant payments from DCLG for the 2017/18, 2018/19 and 2019/20 Brownfield Land Registers; the amount of funding for these years is yet

to be determined.) However, there may well be financial and resource implications of Permission in Principle, in particular applications for Technical Details Consent, unless new guidance / legislation that is yet to be published allows local planning authorities to charge for dealing with such applications (and that charge covers the costs of dealing with those applications).

9.0 RISK ASSESSMENT

- 9.1 There is minimal risk with the preparation and publication of Part 1 of the Brownfield Land Register and only a slight risk with preparing and publishing a Part 2 of the Register, other than the potential financial and resource implications discussed above in relation to dealing with applications for Technical Details Consent.

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 Cabinet are being asked to make is simply related to the delegation of authority in relation to Brownfield Land Registers and so there is no direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is not required.

Appendices

Appendix A – Draft Part 1 of the Brownfield Land Register 2017 (Council's format)
Appendix B – Minute of Cabinet 12 September 2017 (Council only) – to follow

REF: WL002

Site Name	Former Hope High School, Tanhouse Road
Site Address	Former Hope High School, Tanhouse Road Skelmersdale WN8 9DP
Grid Ref	350304 405598
Gross Size Ha	1.8

Latest Planning Application	2002/0570
Planning History	SHELAA – SK.178
Planning Status	Not Permitted
Construction Status	Not Permitted

Constraints/ Info	Site submitted as part of the 2015 call for sites; site previously parked on account of its open space (WLLP policy EN3) designation, however there is potential to develop part of the site for residential purpose and retain an element of public open space.		
Suitability	Suitable		
Ownership	Other Public		
Availability	Available		
Min Capacity	54	Max Capacity	54
To be included on the register	Yes		

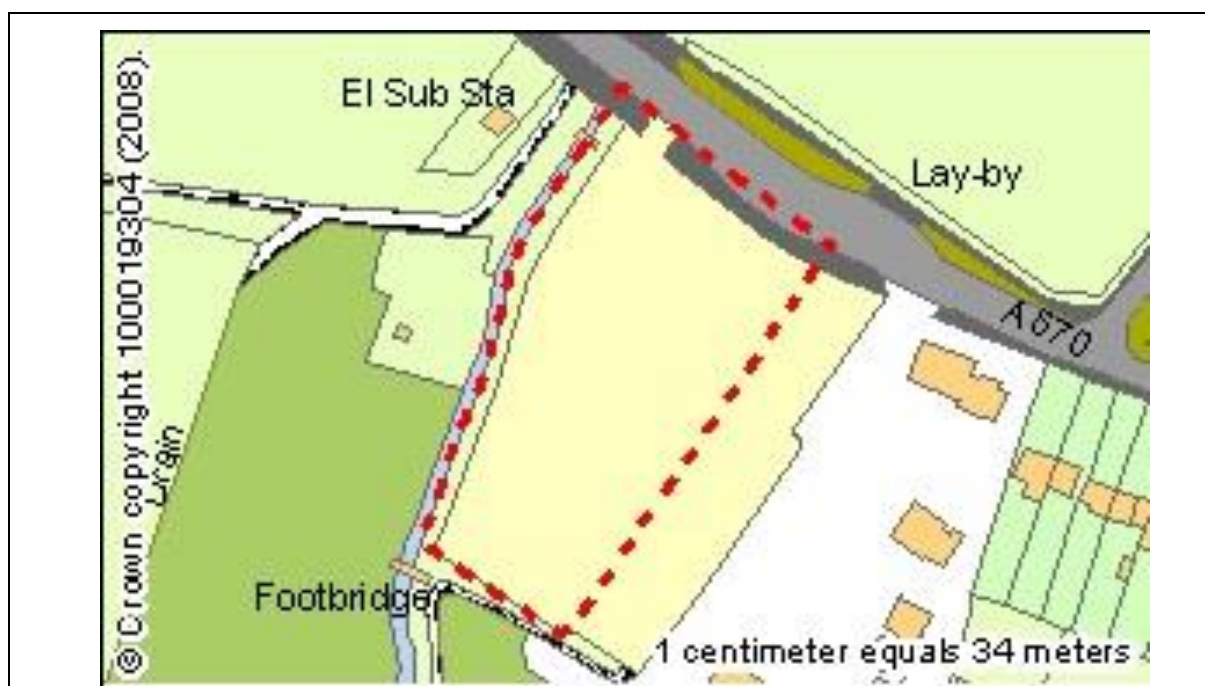


REF: WL003

Site Name	Former Reynolds Garage (part), Southport Road, Brown Edge, Scarisbrick
Site Address	Former Reynolds Garage (part), Southport Road, Brown Edge, Scarisbrick Scarisbrick
Grid Ref	336882 414161
Gross Size Ha	0.71

Latest Planning Application	2017/0427/FUL
Planning History	SHELAA – SR.036
Planning Status	Pending Decision
Construction Status	Not started

Constraints/ Info	Owner has expressed desire for market housing on site (via agent). Under Local Plan policy, development of site would have to be for mainly affordable housing, with the minimum amount of market housing to ensure overall viability. Housing has been built on the adjacent land (formerly part of the same site).		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	19	Max Capacity	19
To be included on the register	Yes		



REF: WL004

Site Name	Land at Findon, Skelmersdale
Site Address	Land at Findon, Skelmersdale Skelmersdale
Grid Ref	349022 406400
Gross Size Ha	3.34

Latest Planning Application	2015/1328/LDO
Planning History	SHELAA – SK.135
Planning Status	Local Development Order
Construction Status	Not started

Constraints/ Info	Adjacent to a nature conservation site and Biological Heritage Site.		
Suitability	Suitable		
Ownership	Other Public		
Availability	Available		
Min Capacity	128	Max Capacity	140
To be included on the register	Yes		



REF: WL005

Site Name	Site Of Former Sports Centre
Site Address	Site Of Former Sports Centre Digmaor Road Digmaor Skelmersdale Lancashire
Grid Ref	349173 405263
Gross Size Ha	2.56

Latest Planning Application	2015/1327/LDO
Planning History	SHELAA – SK.033
Planning Status	Local Development Order
Construction Status	Not started

Constraints/ Info	Development will need to integrate into an existing built up area.		
Suitability	Suitable		
Ownership	Local Authority		
Availability	Available		
Min Capacity	45	Max Capacity	100
To be included on the register	Yes		

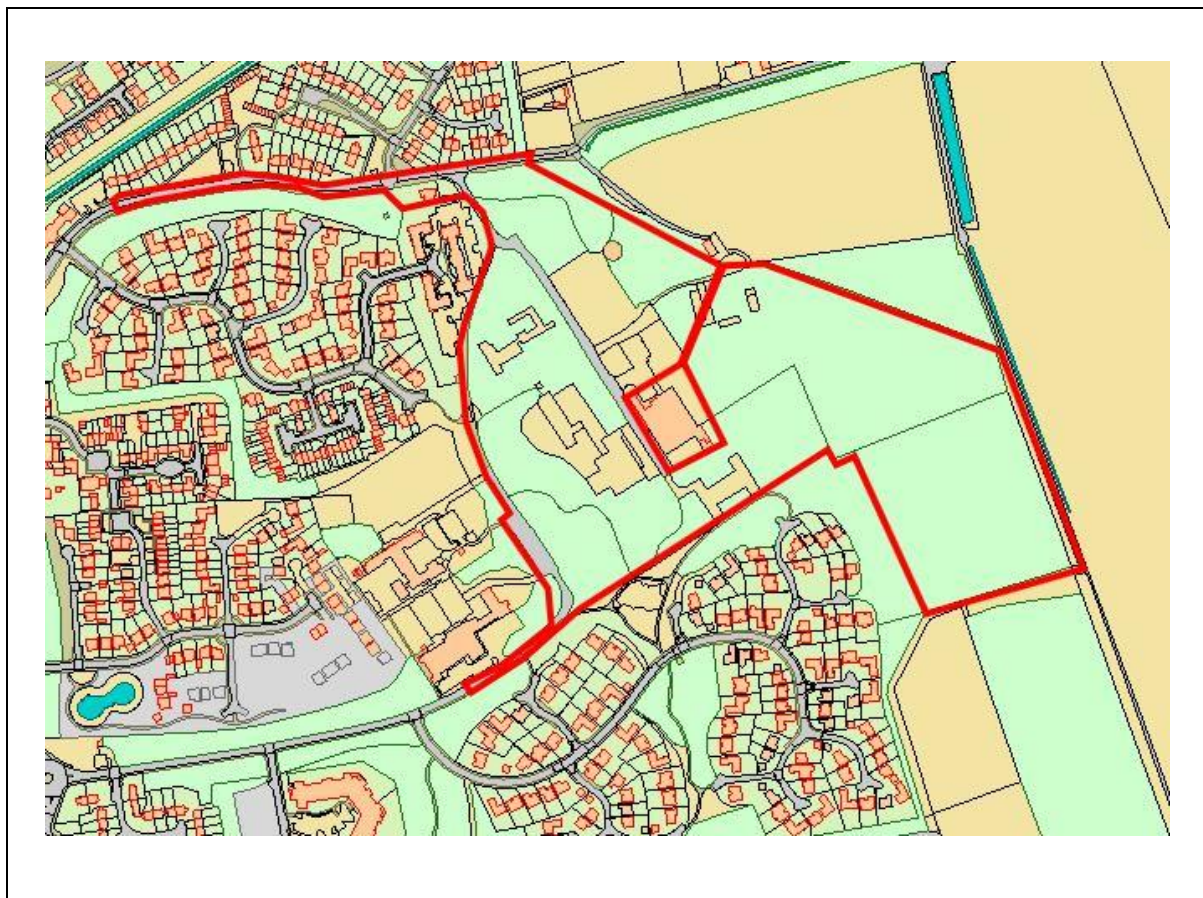


REF: WL008

Site Name	Site Of Former Greaves Hall Hospital
Site Address	Site Of Former Greaves Hall Hospital, Greaves Hall Avenue, Banks, Lancashire
Grid Ref	339496 420224
Gross Size Ha	10.26

Latest Planning Application	2013/0104/OUT
Planning History	SHELAA – BA.009
Planning Status	Outline Planning Permission
Construction Status	Not Started

Constraints/ Info	Rural development opportunity site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	140	Max Capacity	140
To be included on the register	Yes		



REF: WL011

Site Name	Longreach, Warpers Moss Lane
Site Address	Longreach, Warpers Moss Lane, Burscough
Grid Ref	344790 412625
Gross Size Ha	0.51

Latest Planning Application	2013/0517/OUT
Planning History	SHELAA – BU.012
Planning Status	Outline Planning Permission
Construction Status	Not started

Constraints/ Info	Trees on site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	6	Max Capacity	6
To be included on the register	Yes		



REF: WL015

Site Name	Site Of Former 111 Aughton Street
Site Address	Site Of Former 111 Aughton Street, Ormskirk
Grid Ref	341191 407943
Gross Size Ha	0.26

Latest Planning Application	2013/0975/OUT
Planning History	
Planning Status	Outline Planning Permission
Construction Status	Not started

Constraints/ Info	Located with the town centre. Mixed Use development		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	10	Max Capacity	15
To be included on the register	Yes		

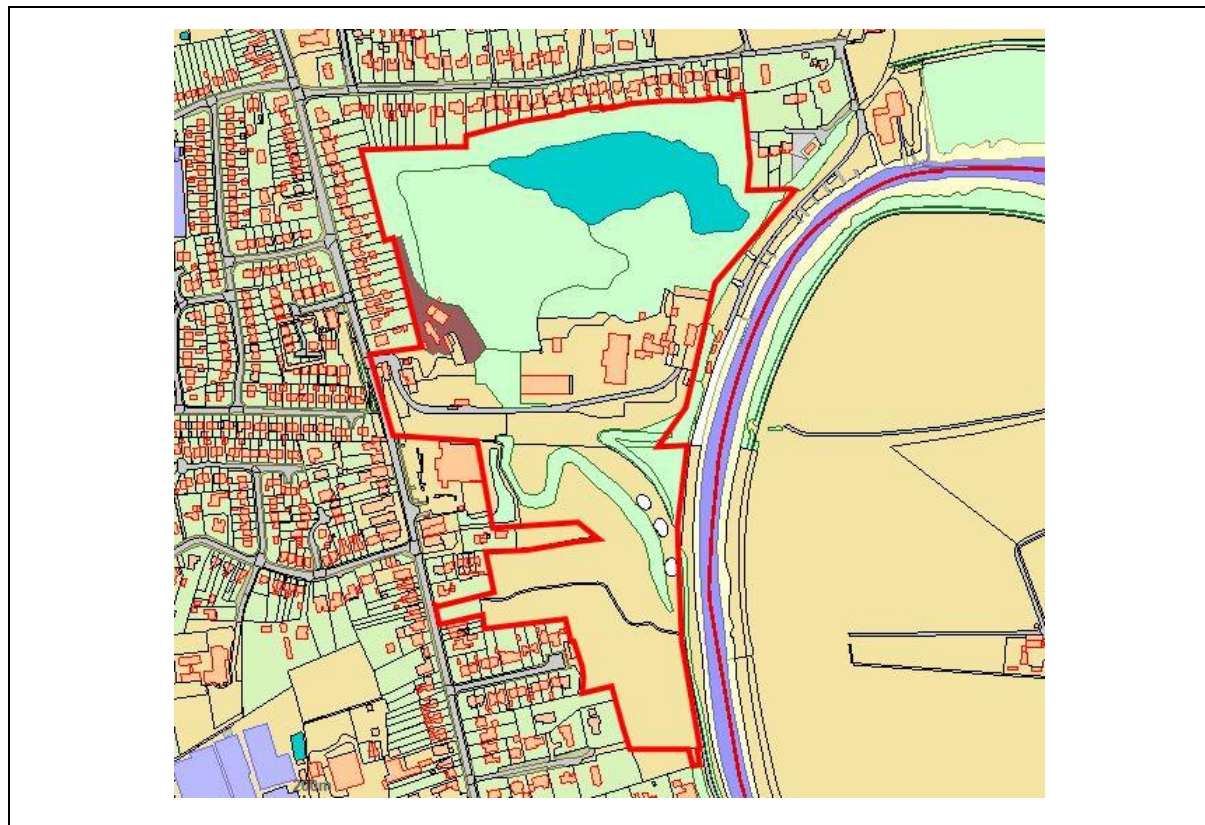


REF: WL016

Site Name	Henry Alty Ltd, Station Road
Site Address	Henry Alty Ltd, Station Road, Hesketh Bank, Preston, Lancashire, PR4 6SP
Grid Ref	344911 422843
Gross Size Ha	16.5

Latest Planning Application	2013/1258/OUT
Planning History	
Planning Status	Outline Planning Permission
Construction Status	Not started

Constraints/ Info	Designated EC3 Rural Development Opportunity Site, adjacent to the River Douglas, lake on site, TPOs and a Biological Heritage Site. Linear park designation through the site. Possible land contamination due to previous uses.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	275	Max Capacity	275
To be included on the register	Yes		



REF: WL018

Site Name	Bull And Dog Inn, 5 Liverpool Road
Site Address	Bull And Dog Inn, 5 Liverpool Road South, Burscough, Ormskirk, Lancashire, L40 7SS
Grid Ref	343053 410475
Gross Size Ha	0.27

Latest Planning Application	2014/0079/FUL
Planning History	SHELAA – BU.045
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Trees located on site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	8	Max Capacity	8
To be included on the register	Yes		



REF: WL021

Site Name	Rear Of 94 Church Road
Site Address	Rear Of 94 Church Road, Tarleton
Grid Ref	345228 420591
Gross Size Ha	0.19

Latest Planning Application	2014/1177/ARM
Planning History	SHELAA – TA.035
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	TPO to the north west of the site, and a small part of the site is located within the Plox Brow Conservation Area.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	5	Max Capacity	5
To be included on the register	Yes		

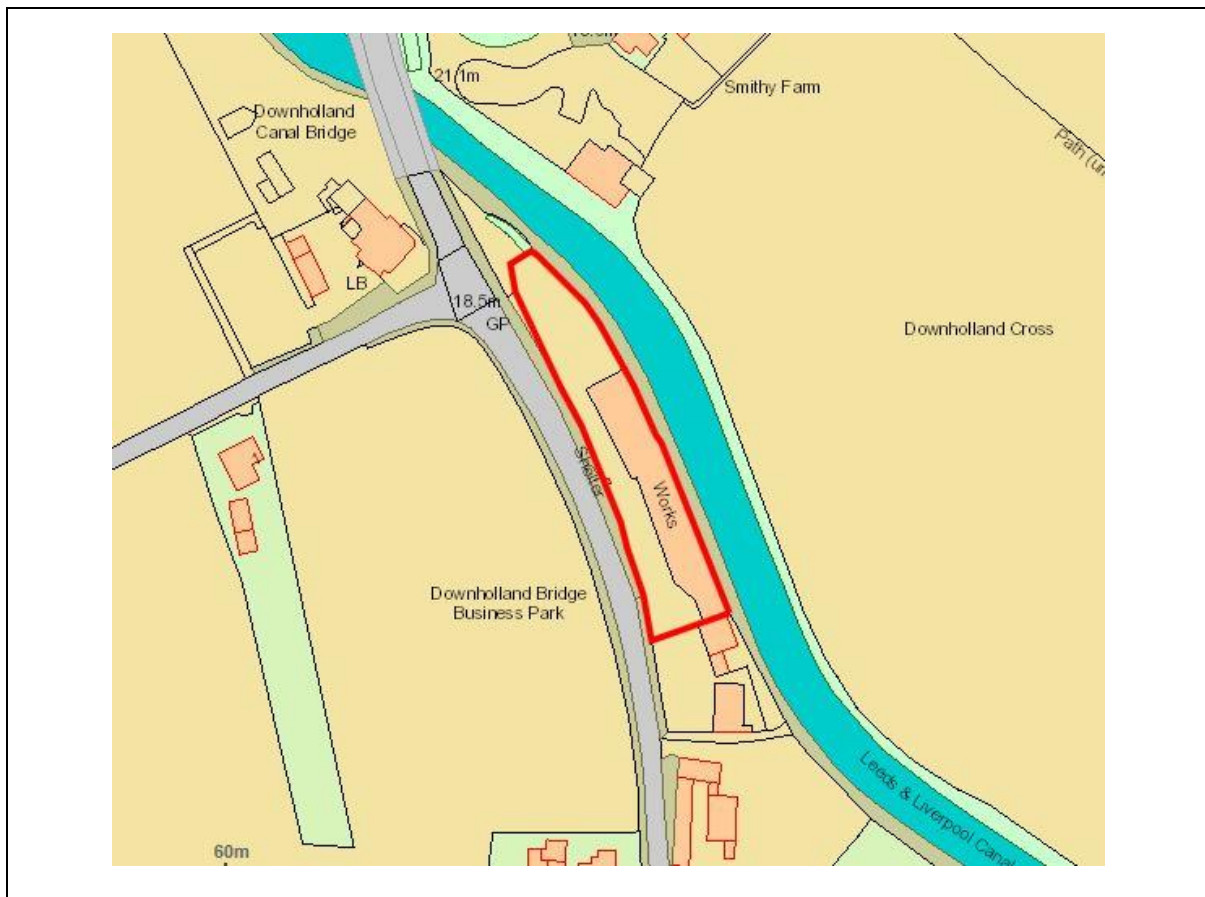


REF: WL029

Site Name	Downholland Bridge Business Park
Site Address	Downholland Bridge Business Park, Mairscough Lane, Downholland
Grid Ref	366607 406697
Gross Size Ha	0.26

Latest Planning Application	2015/0959/OUT
Planning History	SHELAA – HA.005
Planning Status	Outline Planning Permission
Construction Status	Not started

Constraints/ Info	Site located within the Greenbelt, existing employment site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	6	Max Capacity	6
To be included on the register	Yes		



REF: WL030

Site Name	The Barrons 104 Church Road
Site Address	The Barrons 104 Church Road, Tarleton
Grid Ref	345322 420672
Gross Size Ha	0.76

Latest Planning Application	2015/0951/FUL
Planning History	SHELAA – TA.022
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Located within the local centre boundary, EN3 designation in the east of the site which is to be retained as open space. Corner of the site adjacent to the Plox Brow Conservation Area.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	7	Max Capacity	7
To be included on the register	Yes		

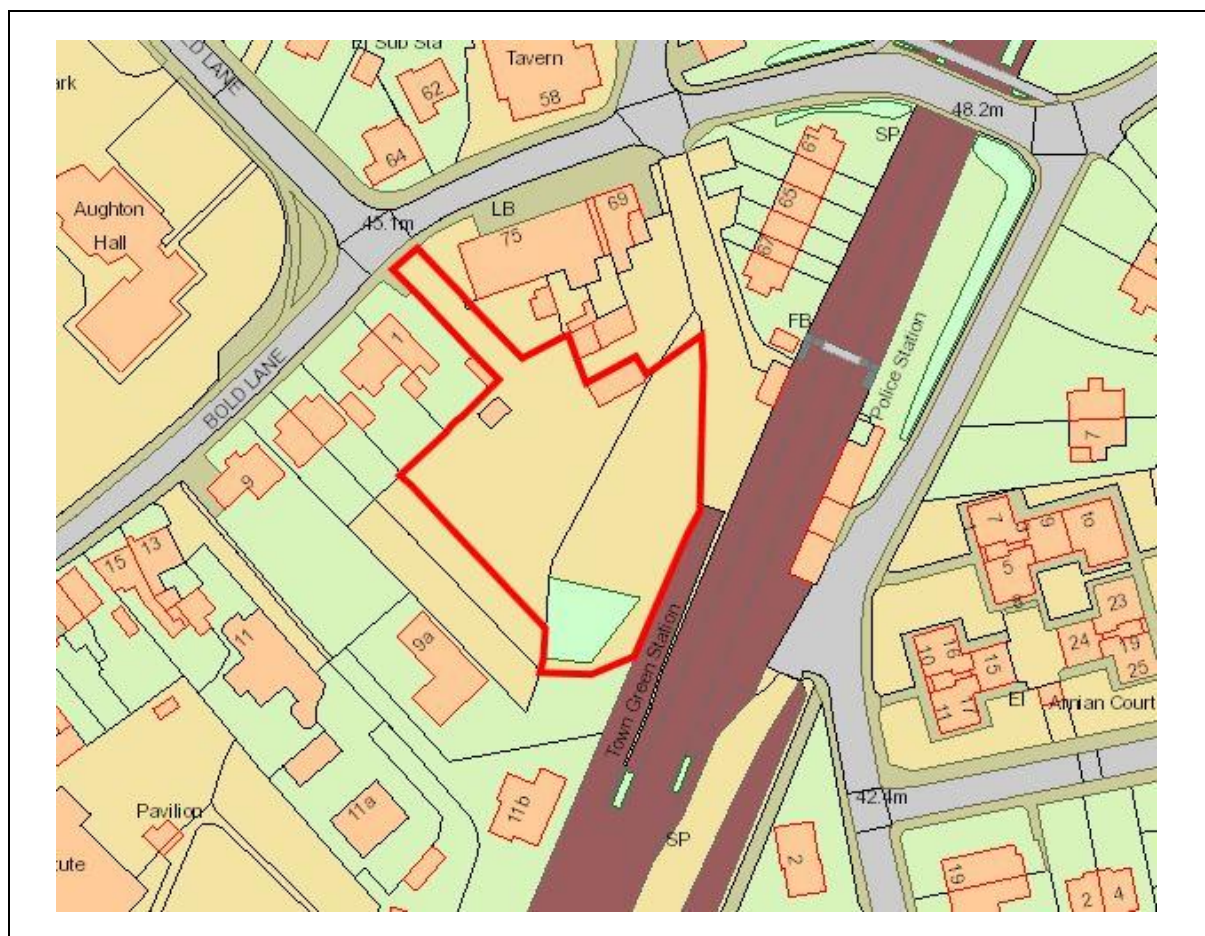


REF: WL031

Site Name	Land To The Rear Of 69 - 75 Town Green Lane
Site Address	Land To The Rear Of 69 - 75 Town Green Lane , Aughton
Grid Ref	340117 405511
Gross Size Ha	0.23

Latest Planning Application	2015/1186/OUT
Planning History	SHELAA – OA.018
Planning Status	Outline Planning Permission
Construction Status	Not started

Constraints/ Info	South east of the site lies the Liverpool to Ormskirk railway line..		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	5	Max Capacity	5
To be included on the register	Yes		



REF: WL032

Site Name	The Almond Tree
Site Address	The Almond Tree Abbeystead Digmoor Skelmersdale Lancashire WN8 9LP
Grid Ref	349071 405105
Gross Size Ha	0.17

Latest Planning Application	2015/0723/OUT 2015/0139/FUL
Planning History	
Planning Status	Permissioned
Construction Status	Not started

Constraints/ Info			
Suitability		Suitable	
Ownership		Private	
Availability		Available	
Min Capacity	12	Max Capacity	12
To be included on the register		Yes	

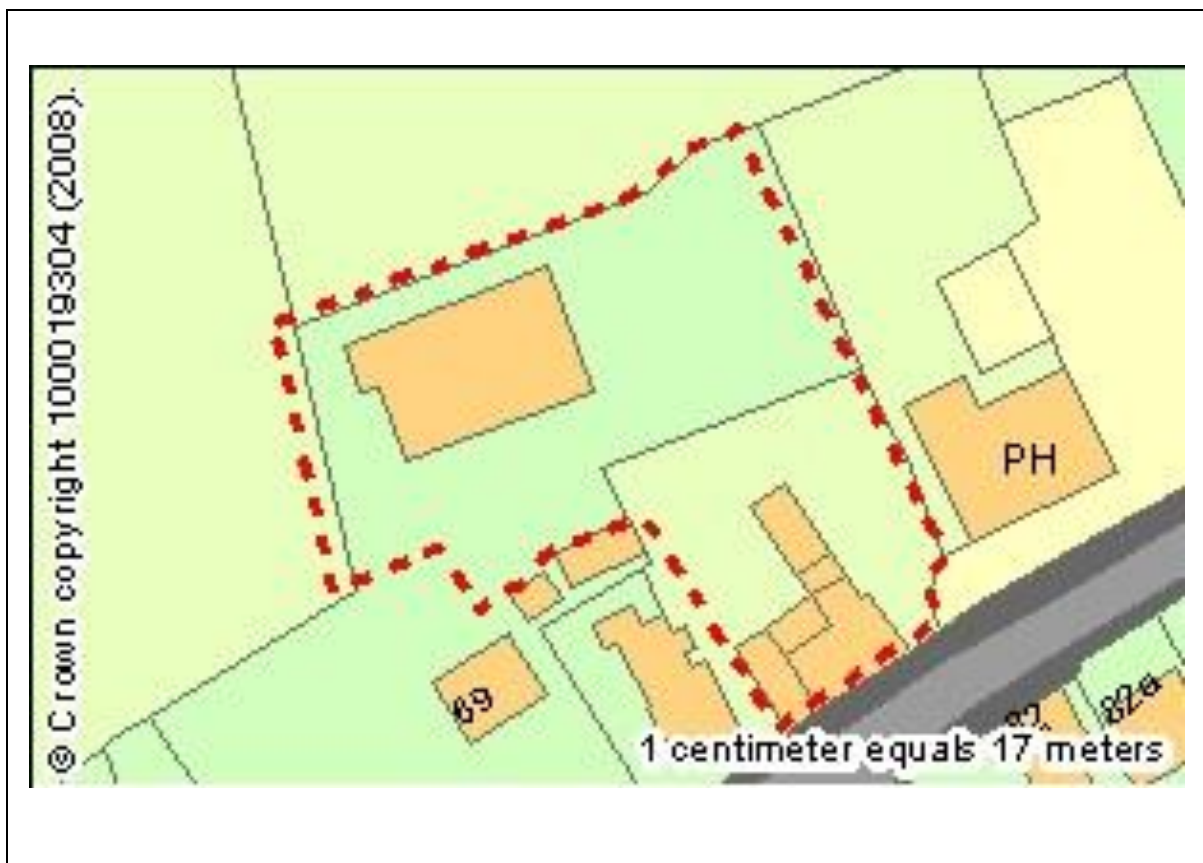


REF: WL033

Site Name	Land between 73 & 75 Liverpool Road South
Site Address	Land between 73 & 75 Liverpool Road South, Burscough
Grid Ref	343405 410777
Gross Size Ha	0.3

Latest Planning Application	2015/0645/OUT - Refused
Planning History	
Planning Status	Not Permitted
Construction Status	Not started

Constraints/ Info	Located in close proximity to Listed Buildings.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	5	Max Capacity	5
To be included on the register	Yes		



REF: WL035

Site Name	Land at Carlton Avenue/ Ormskirk Road
Site Address	Land at Carlton Avenue/ Ormskirk Road
Grid Ref	351186 405184
Gross Size Ha	0.42

Latest Planning Application	1996/0443 23 dwellings refused
Planning History	SHELAA – SK.077
Planning Status	Not Permitted
Construction Status	Not started

Constraints/ Info			
Suitability		Suitable	
Ownership		Private	
Availability		Available	
Min Capacity	10	Max Capacity	10
To be included on the register		Yes	

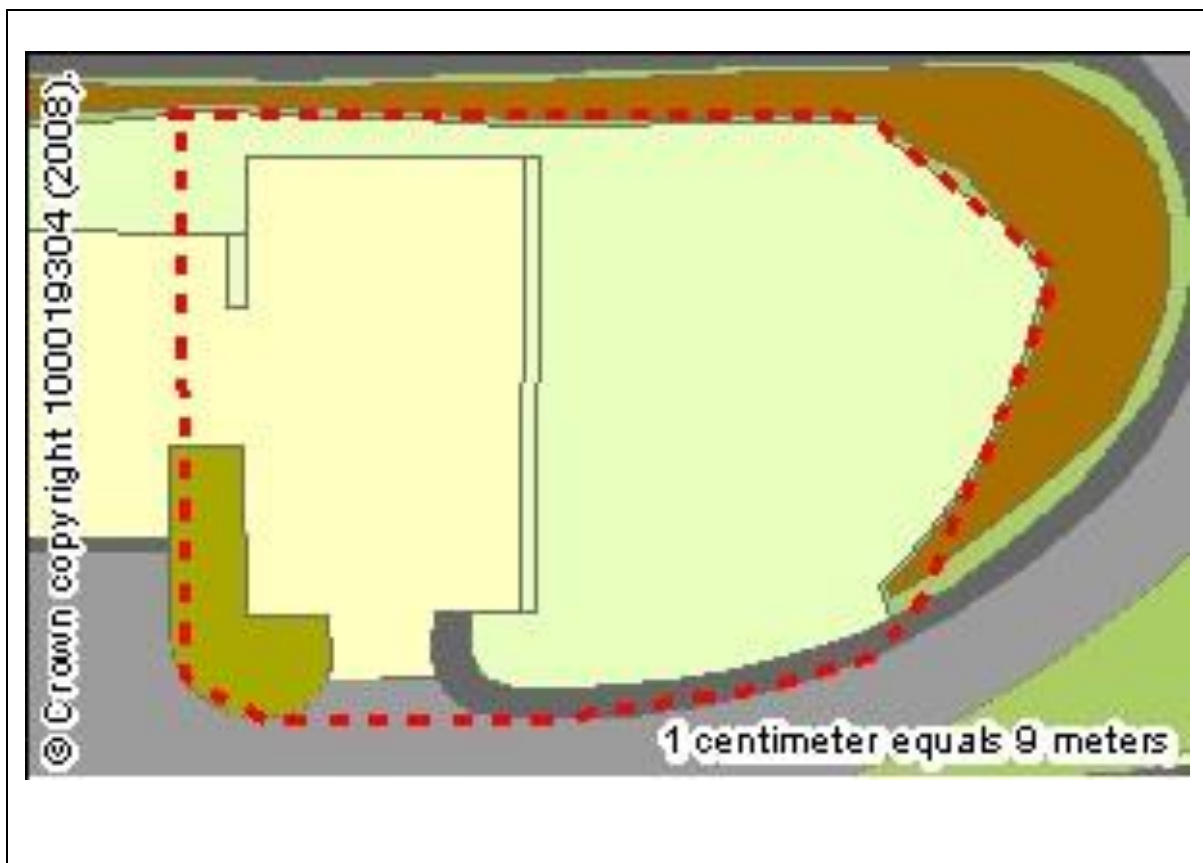


REF: WL036

Site Name	Land adjacent The Highway Man Public House
Site Address	Land adjacent The Highway Man Public House, Blythewood, Digmoor
Grid Ref	349487 405426
Gross Size Ha	0.16

Latest Planning Application	
Planning History	SHELAA – SK.035
Planning Status	Not Permitted
Construction Status	Not started

Constraints/ Info		
Suitability	Suitable	
Ownership	Private	
Availability	Available	
Min Capacity	5	Max Capacity 5
To be included on the register	Yes	

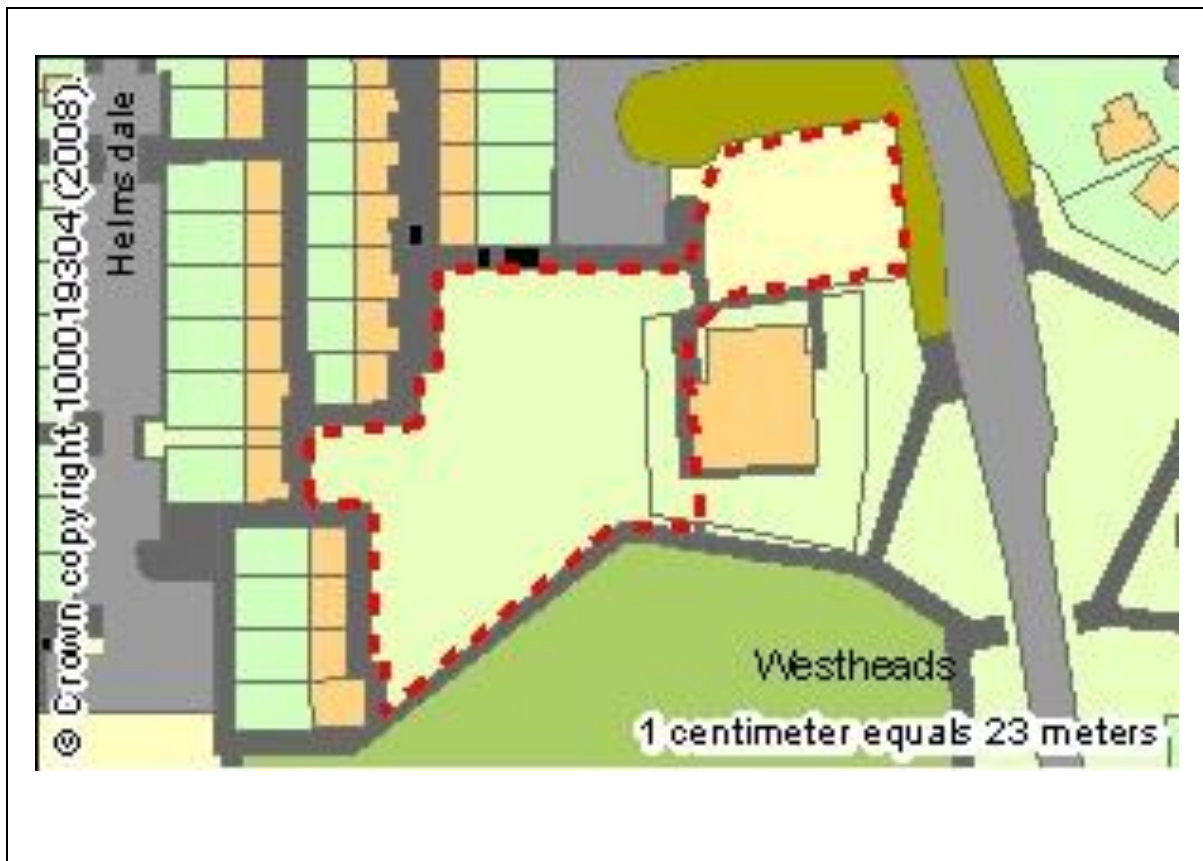


REF: WL037

Site Name	Land adjacent Community Centre, Birch Green, Tanhouse
Site Address	Land adjacent Community Centre, Birch Green, Tanhouse
Grid Ref	349464 406879
Gross Size Ha	0.4

Latest Planning Application	2015/1314/FUL (None Housing)
Planning History	SHELAA – SK.107
Planning Status	Not Permitted
Construction Status	Not started

Constraints/ Info	Adjacent to Westhead Clough Biological Heritage Site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	9	Max Capacity	9
To be included on the register	Yes		



REF: WL038

Site Name	Land at Enstone/Elmridge, Tanhouse, Skelmersdale
Site Address	Land at Enstone/Elmridge, Tanhouse, Skelmersdale
Grid Ref	349718 406011
Gross Size Ha	1.3

Latest Planning Application	2013/0900/FUL
Planning History	SHELAA – SK.154
Planning Status	Not permitted
Construction Status	Not started

Constraints/ Info			
Suitability		Suitable	
Ownership		Private	
Availability		Available	
Min Capacity	14	Max Capacity	14
To be included on the register		Yes	



REF: WL039

Site Name	Land at Elswick
Site Address	Land at Elswick, Tanhouse
Grid Ref	349434 405958
Gross Size Ha	0.69

Latest Planning Application	
Planning History	SHELAA – SK.156
Planning Status	Not permissioned
Construction Status	Not started

Constraints/ Info			
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	10	Max Capacity	14
To be included on the register	Yes		



REF: WL044

Site Name	Former TPT Factory
Site Address	Railway Road
Grid Ref	346344 406222
Gross Size Ha	1.6

Latest Planning Application	2012/0860/COU
Planning History	SHELAA – SK.009
Planning Status	Not permitted
Construction Status	Not started

Constraints/ Info	Potentially contaminated site, previous employment/industrial uses.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	43	Max Capacity	43
To be included on the register	Yes		

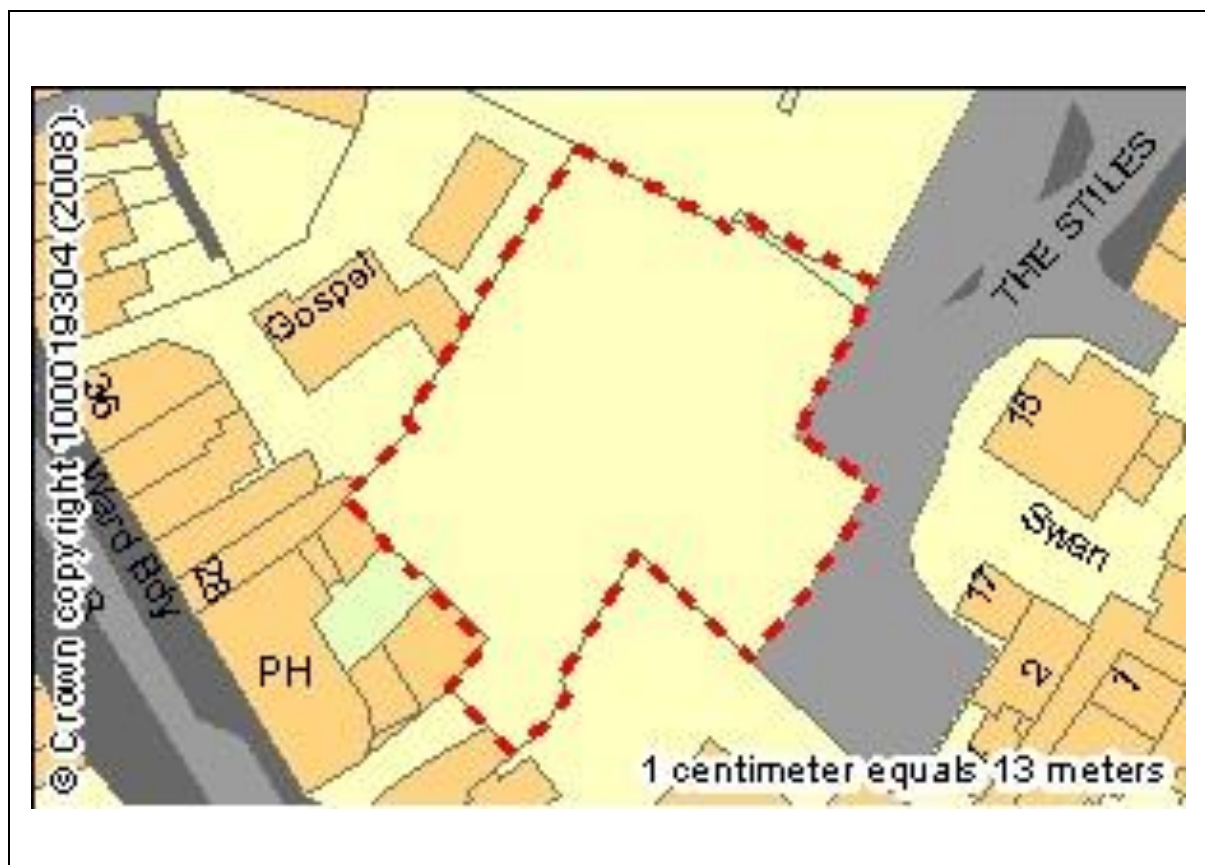


REF: WL046

Site Name	Land at The Stiles
Site Address	Ormskirk
Grid Ref	341391 408439
Gross Size Ha	0.12

Latest Planning Application	2011/0148/FUL
Planning History	SHELAA – OA.003
Planning Status	Not permissioned
Construction Status	Not started

Constraints/ Info	Site is located with the town centre boundary, and is also located within the town centre Conservation Area.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	17	Max Capacity	17
To be included on the register	Yes		



REF: WL049

Site Name	Shannons Social Club
Site Address	Spencers Lane
Grid Ref	348913 405206
Gross Size Ha	0.38

Latest Planning Application	2014/0812/FUL
Planning History	SHELAA – SK.047
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Adjacent to open recreation EN3 designation. Trees on site worth of merit.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	18	Max Capacity	18
To be included on the register	Yes		



REF: WL052

Site Name	Site of former 82 Orrell Lane
Site Address	82 Orrell Lane
Grid Ref	344089 412297
Gross Size Ha	0.13

Latest Planning Application	2013/0740/FU
Planning History	SHELAA – BU.017
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info			
Suitability		Suitable	
Ownership		Private	
Availability		Available	
Min Capacity	5	Max Capacity	5
To be included on the register		Yes	

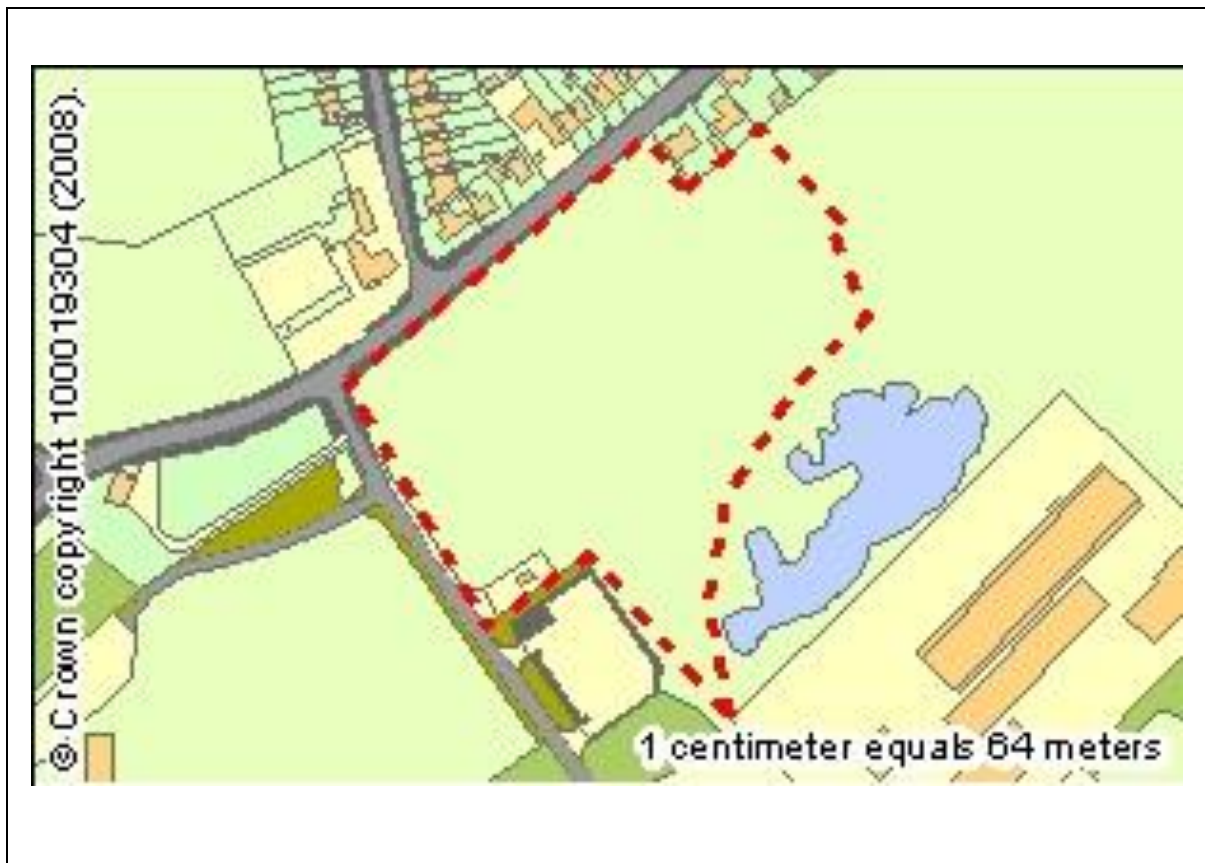


REF: WL053

Site Name	Land bounded by Liverpool Road South
Site Address	Abbey Lane
Grid Ref	343055 410422
Gross Size Ha	4.3

Latest Planning Application	2012/1224/OUT
Planning History	SHELAA – BU.040A
Planning Status	Not permissioned
Construction Status	Not started

Constraints/ Info	Former landfill site, Biological Heritage Site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	100	Max Capacity	100
To be included on the register	Yes		



REF: WL054

Site Name	The Bath House
Site Address	130 Burscough St
Grid Ref	341654 408631
Gross Size Ha	0.48

Latest Planning Application	2015/0265/FUL
Planning History	SHELAA – OA.074
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Site is located with the village centre.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	29	Max Capacity	29
To be included on the register	Yes		



REF: WL055

Site Name	9 Shore Road
Site Address	Hesketh Bank
Grid Ref	344283 423876
Gross Size Ha	1.6

Latest Planning Application	2013/1138/FUL
Planning History	
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Partially located within The Brow Conservation Area.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	6	Max Capacity	6
To be included on the register			Yes



REF: WL057

Site Name	14A New Cut Lane
Site Address	Halsall
Grid Ref	333262 413606
Gross Size Ha	0.3

Latest Planning Application	2016/1173/FUL
Planning History	
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	A number of trees on site, however these are not TPOs.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	8	Max Capacity	8
To be included on the register	Yes		

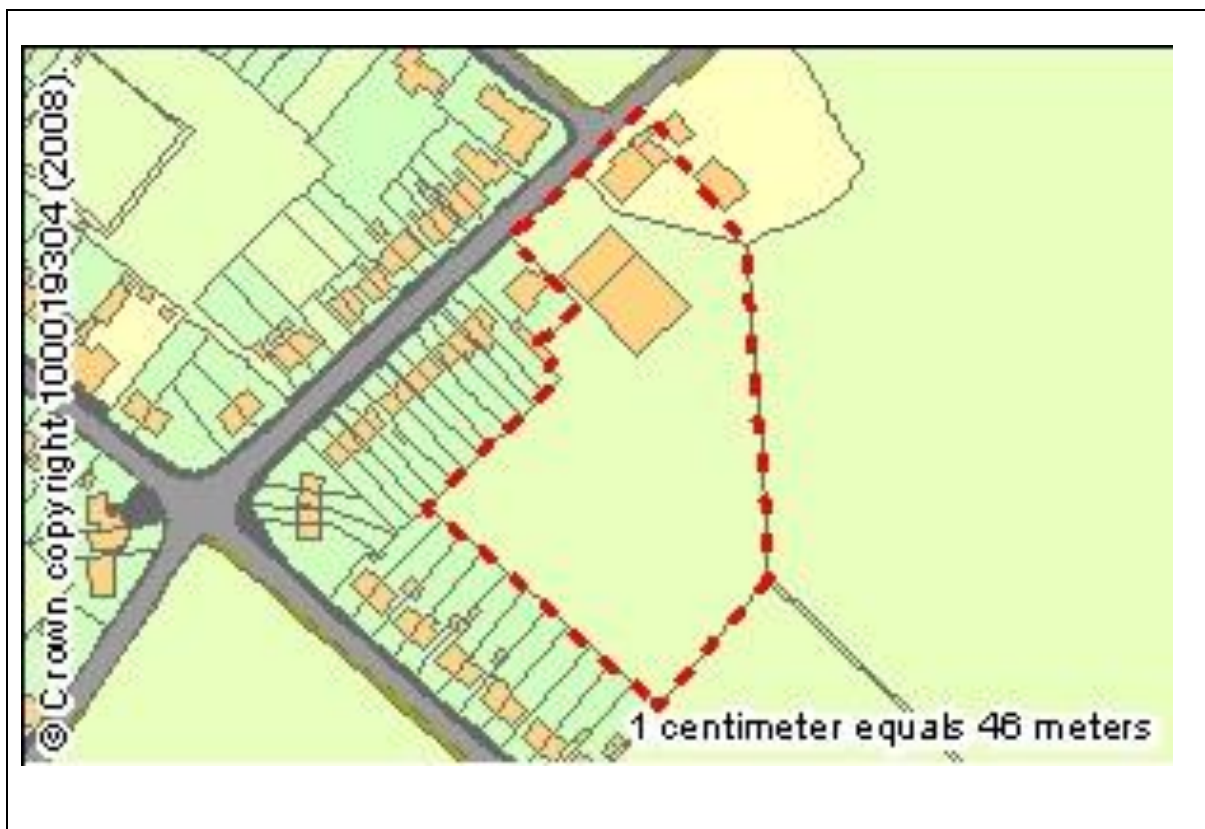


REF: WL058

Site Name	30A Scarth Hill Lane
Site Address	Aughton
Grid Ref	341330 406474
Gross Size Ha	0.29

Latest Planning Application	2016/0878/FUL
Planning History	SHELAA – OA.067
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	The site is located within the Greenbelt, Oak tree to the rear of the property.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	8	Max Capacity	8
To be included on the register	Yes		



REF: WL059

Site Name	Former Silver Birch Hotel
Site Address	Flordon, Birch Green
Grid Ref	349562 406586
Gross Size Ha	0.22

Latest Planning Application	2016/0832/FUL
Planning History	
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Demolition of existing vacant commercial building and construction of mixed use development comprising 4 no. retail/commercial units and 18 apartments. Some trees located on the site.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	18	Max Capacity	18
To be included on the register	Yes		

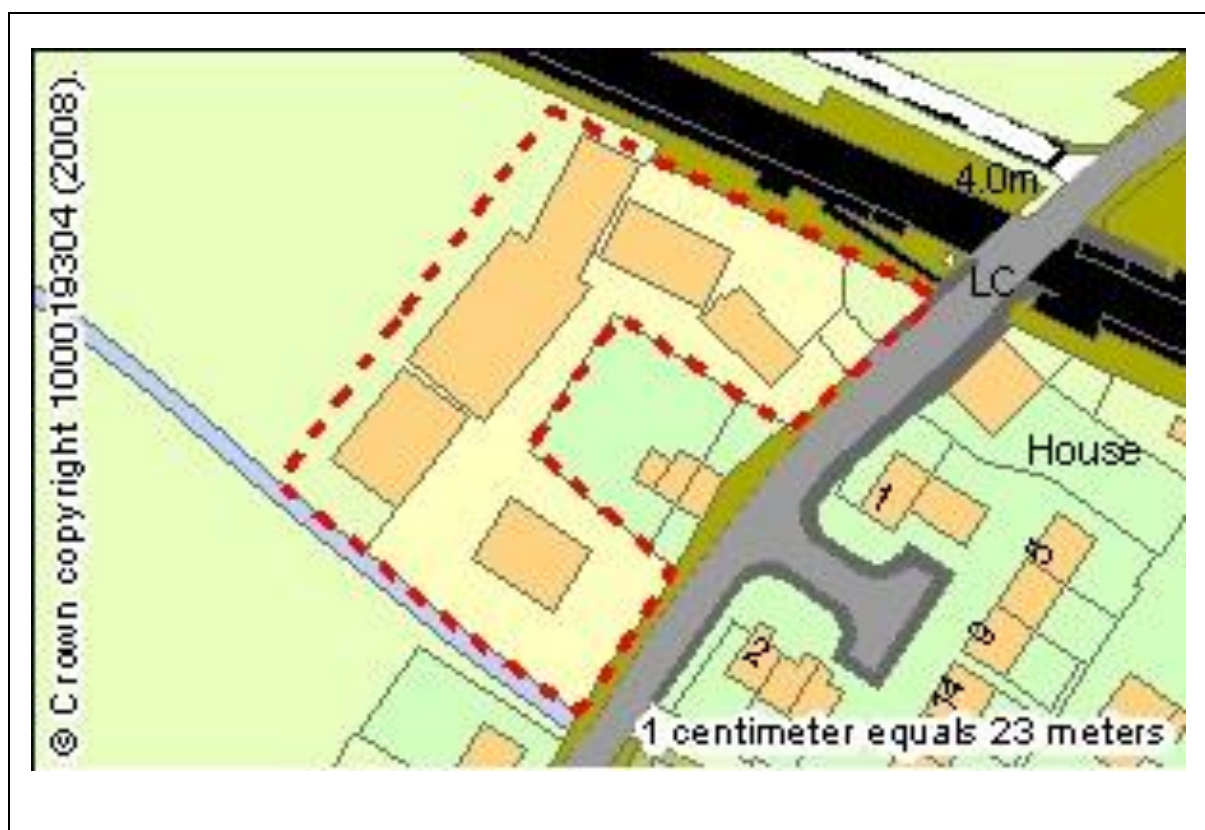


REF: WL060

Site Name	4 Bescar Lane
Site Address	Scarisbrick
Grid Ref	339549 414535
Gross Size Ha	0.22

Latest Planning Application	2016/1050/FUL
Planning History	SHELAA – SR.015
Planning Status	Full Planning Permission
Construction Status	Not started

Constraints/ Info	Adjacent to railway, located within the Greenbelt.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	5	Max Capacity	5
To be included on the register	Yes		



REF: WL062

Site Name	Garages to the east of Arnian Court
Site Address	Molyneux Road
Grid Ref	340257 405511
Gross Size Ha	0.15

Latest Planning Application	2017/0185/OUT
Planning History	
Planning Status	Outline Planning Permission
Construction Status	Not started

Constraints/ Info	Adjacent to the Granville Park Conservation Area.		
Suitability	Suitable		
Ownership	Private		
Availability	Available		
Min Capacity	7	Max Capacity	7
To be included on the register	Yes		



MINUTE OF CABINET – 12 SEPTEMBER 2017

29 BROWNFIELD LAND REGISTER AND PERMISSION IN PRINCIPLE

Councillor J Hodson introduced the report of the Director of Development and Regeneration which advised on the introduction of new regulations requiring the Council to prepare and maintain a Brownfield Land Register. He referred to the implications in relation to the placing of land on part 2 of the Register and to the need for provision to be made within the Council's Constitution in order to effect decision making in this regard.

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 authority be delegated to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, to publish, review and maintain Part 1 of the Brownfield Land Register and to propose land for inclusion in Part 2 of the Register.
- (B) That authority be delegated to the Director of Development and Regeneration to carry out all necessary publication, notification and consultation procedures pursuant to resolution (A) above.



CABINET: 12 SEPTEMBER 2017

COUNCIL: 18 OCTOBER 2017

Report of: Director of Leisure and Wellbeing (Lead Officer)

Relevant Portfolio Holder: Councillor Moran

Contact for further information: Mrs C A Jackson (Extn.5016)
(E-mail: cathryn.jackson@westlancs.gov.uk)

SUBJECT: WEST LANCASHIRE TOURISM – THE VISITOR ECONOMY - FINAL REPORT OF THE CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE

Wards affected: Borough wide.

1.0 PURPOSE OF THE REPORT

1.1 To consider the final report and recommendations of the Corporate and Environmental Overview and Scrutiny Committee following a review conducted entitled 'West Lancashire Tourism – The Visitor Economy.'

2.0 RECOMMENDATIONS TO CABINET

2.1 That the Corporate and Environmental Overview and Scrutiny Committee be complimented on their work.

2.2 That the following recommendations contained in the final report of the Corporate and Environmental Overview and Scrutiny Committee on West Lancashire Tourism – The Visitor Economy be considered:

- (1)** That the Council (subject to resource availability) work with our partners to:
 - (i) continue to support West Lancashire as a visitor destination.
 - (ii) continue to work with Marketing Lancashire for the benefit of promoting West Lancashire.
 - (iii) continue to develop and build on relationships established with the Head of Visitor Economy for the Liverpool City Region (Liverpool Local Enterprise Partnership) in the promotion of West Lancashire.

- (iv) draw on the experiences of Visit Southport and Visit Liverpool to provide something similar for West Lancashire to include joining Visit Liverpool to provide something similar for West Lancashire.
- (v) continue to work with businesses and organisations within West Lancashire to promote projects and initiatives that benefit the local economy, including bringing forward accommodation projects and increasing advertisement of accommodation.
- (vi) seek to further improve the promotion of West Lancashire and the importance of
 - (a) gaining customer insight to respond to visitor expectations;
 - (b) first impressions for visitors coming into West Lancashire;
 - (c) a collaborative approach to promote West Lancashire as a visitor destination;
 - (d) the Borough's key specialist heritage sites (including Ormskirk Parish Church, National Trust Rufford Old Hall and Moor Hall);
 - (e) enhancing the visitor experience (coach trips; specialist canal boat trips);
 - (f) changing and developing the public's perception of West Lancashire as a "gateway" rather than a "drive-through" or "one stop" destination.
 - (g) continuance of the research being undertaken, as part of the Ormskirk Town Centre Strategy, into coach travel to increase knowledge and better target visitor groups.
 - (h) WWT Martin Mere, Burscough and its links with the community, local schools and Parish Council through initiatives, projects and future development of the visitor attraction.

(2) That the final report of the Corporate and Environmental Overview and Scrutiny Committees review to be circulated to Marketing Lancashire, Lancashire Local Enterprise Partnership, Liverpool Enterprise Partnership, WWT Martin Mere Wetlands Centre, Edge Hill University, scrutiny at Lancashire County Council and published on the Council and Centre for Public Scrutiny (CfPS) web-sites.

(3) That the Corporate and Environmental Overview and Scrutiny Committee review its recommendations in March 2018.

2.3 That the final report of the Corporate and Environmental Overview and Scrutiny Committee on West Lancashire Tourism – The Visitor Economy, attached at Appendix A, be approved.

2.4 That the final report and recommendations at 2.2 above (approved, subject to resources) be submitted to Council for approval on 18 October 2017.

2.5 That call in is not appropriate for this item as it has previously been considered by the Corporate and Environmental Overview and Scrutiny Committee.

3.0 RECOMMENDATIONS TO COUNCIL

3.1 That the Corporate and Environmental Overview and Scrutiny Committee be complimented on their work.

- 3.2 That the final report of the Corporate and Environmental Overview and Scrutiny Committee on West Lancashire Tourism – The Visitor Economy (attached at Appendix A) be noted and approved for formal publication, subject to resources.
- 3.3 That the Corporate and Environmental Overview and Scrutiny Committee review the recommendations contained in the report in March 2018.
-
-

3.0 BACKGROUND

- 3.1 In October 2016 the Corporate and Environmental Overview and Scrutiny Committee commenced a review on the topic 'West Lancashire Tourism – The Visitor Economy'. The purpose of the review was to gain a greater understanding of the visitor economy in West Lancashire.
- 3.2 The draft final report of the review topic was considered by the Corporate and Environmental Overview and Scrutiny Committee at its meeting on 13 July 2017 (Appendix B).

4.0 CURRENT POSITION

- 4.1 Members will find attached as Appendix A, the final report of the review 'West Lancashire Tourism – The Visitor Economy'.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 Enhanced overview and scrutiny arrangements can give a greater level of involvement for non-cabinet members in the decision making process.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are financial/resource implications arising from this report. The actions as set down within recommendation (1) adds to the work already being undertaken at part of the West Lancashire Economic Development Strategy 2015-2025. However, if more significant actions were required to implement the actions, if endorsed, particularly those involving partner organisations and external funding could not be secured, additional proposals would need to come forward for further consideration in accordance with established reporting mechanisms. Recommendation 2, if endorsed, will be met using existing budgets.

7.0 RISK ASSESSMENT

- 7.1 If projects, resulting from proposals at recommendation (1) do come forward, if implemented, may require formal risk assessments to assess the impact on local residents, business users and visitors. These would be undertaken as part of that process.
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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

There will be a direct impact on members of the public, employees, elected members and / or stakeholders as a result of recommendations that may come forward, if implemented. An EIA would be undertaken as part of that process.

Appendices

- A Final report of the Corporate and Environmental Overview and Scrutiny Committee – ‘West Lancashire Tourism – The Visitor Economy’
- B Minute of Cabinet – 12 September 2017 (Council only)



West Lancashire Borough Council

Report of the Corporate and Environmental Overview & Scrutiny Committee
'West Lancashire Tourism – The Visitor Economy'





West Lancashire Tourism – The Visitor Economy Report of the Corporate and Environmental Overview & Scrutiny Committee

FOREWORD by the Chairman Councillor Nikki Hennessy



“The Corporate and Environmental Overview and Scrutiny Committee carried out a review on ‘West Lancashire Tourism – The Visitor Economy’ in 2016/17. This report sets down the outcomes of the work undertaken by Members of the Committee during that period.

We started the scrutiny project in October 2017 with a presentation from Paula Huber, Economic Regeneration Manager, to assist our understanding of the visitor economy in West Lancashire against the background of the Council’s Economic Development Strategy 2015-2025 and Ormskirk Town Centre Strategy 2015-2020. We have learned from the excellent briefings of Paula who has been very helpful in assisting us to explore the issues.

We would like to thank all those who have been involved in the review in particular those Members and Officers who took the time to attend meetings.

In addition to the information provided by Officers of the Council, we would like to thank External partners who provided detail in respect of the visitor offer both locally and wider afield.”

Ms M M Eames, Head of Partnerships	Marketing Lancashire
Ms E Watson, Head of Multi-Channel Marketing	Marketing Lancashire
Mr P Sandman, Head of Visitor Economy, Liverpool City Region	Liverpool Local Enterprise Partnership
Mr N Brooks, General Manager, Martin Mere Wetlands Centre	Wildfowl and Wetlands Trust (WWT)

THE REVIEW

BACKGROUND

Following the submission of topics by the public, Members and the Corporate Management Team (CMT) and the subsequent scoring exercise, the Corporate and Environmental Overview and Scrutiny Committee at its meeting on 13 October 2016 agreed to undertake a review entitled 'West Lancashire Tourism – The Visitor Economy'.

The Project Plan (Appendix 1) was agreed and considered at each meeting.

TERMS OF REFERENCE

Members of the Committee agreed:

1. To undertake a review entitled 'West Lancashire Tourism – the Visitor Economy'
2. To present a report of the Committee's findings to Cabinet and Council, as appropriate.

RECOMMENDATIONS

The Corporate and Environmental Overview and Scrutiny Committee make the following recommendations:

- (1)** That the Council (subject to resource availability) work with our partners to:
 - (i) continue to support West Lancashire as a visitor destination.
 - (ii) continue to work with Marketing Lancashire for the benefit of promoting West Lancashire.
 - (iii) continue to develop and build on relationships established with the Head of Visitor Economy for the Liverpool City Region (Liverpool Local Enterprise Partnership) in the promotion of West Lancashire.
 - (iv) draw on the experiences of Visit Southport and Visit Liverpool to provide something similar for West Lancashire to include joining Visit Liverpool to provide something similar for West Lancashire.
 - (v) continue to work with businesses and organisations within West Lancashire to promote projects and initiatives that benefit the local economy, including bringing forward accommodation projects and increasing advertisement of accommodation.
 - (vi) seek to further improve the promotion of West Lancashire and the importance of
 - (a) gaining customer insight to respond to visitor expectations;
 - (b) first impressions for visitors coming into West Lancashire;

- (c) a collaborative approach to promote West Lancashire as a visitor destination;
 - (d) the Borough's key specialist heritage sites (including Ormskirk Parish Church, National Trust Rufford Old Hall and Moor Hall);
 - (e) enhancing the visitor experience (coach trips; specialist canal boat trips);
 - (f) changing and developing the public's perception of West Lancashire as a "gateway" rather than a "drive-through" or "one stop" destination.
 - (g) continuance of the research being undertaken, as part of the Ormskirk Town Centre Strategy, into coach travel to increase knowledge and better target visitor groups.
 - (h) WWT Martin Mere, Burscough and its links with the community, local schools and Parish Council through initiatives, projects and future development of the visitor attraction.
- (2) That the final report of the Corporate and Environmental Overview and Scrutiny Committees review to be circulated to Marketing Lancashire, Lancashire Local Enterprise Partnership, Liverpool Enterprise Partnership, WWT Martin Mere Wetlands Centre, Edge Hill University, scrutiny at Lancashire County Council and published on the Council and Centre for Public Scrutiny (CfPS) web-sites.
- (3) That the Corporate and Environmental Overview and Scrutiny Committee review its recommendations in March 2018.

Membership of the Committee 2016/17

Chairman: Councillor N Hennessy

Vice Chairman: Councillor D West

Councillors: M Barron, S Bailey, T Blane, P Cotterill, S Currie, D Evans, P Greenall, G Hodson, J Kay, D McKay, M Nixon, N Pryce-Roberts and A Yates.

Membership of the Committee 2017/18

Chairman: Councillor N Hennessy

Vice Chairman: Councillor D Evans

Councillors: M Barron, Mrs M Blake, T Blane, P Cotterill, S Currie, G Hodson, J Kay, D McKay, M Nixon, N Pryce-Roberts, Savage, West and Westley.

Substitutes

The following Members acted as substitute Members for one or more of the meetings held when considering the review:

Councillors: C Cooper, T Devine, Mrs C Evans, J Gordon, Ms R Melling, G Owen, R Pendleton and A Yates.

INFORMATION GATHERED

Meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 13 October 2016 in the Cabinet and Committee Room, 52 Derby Street, Ormskirk

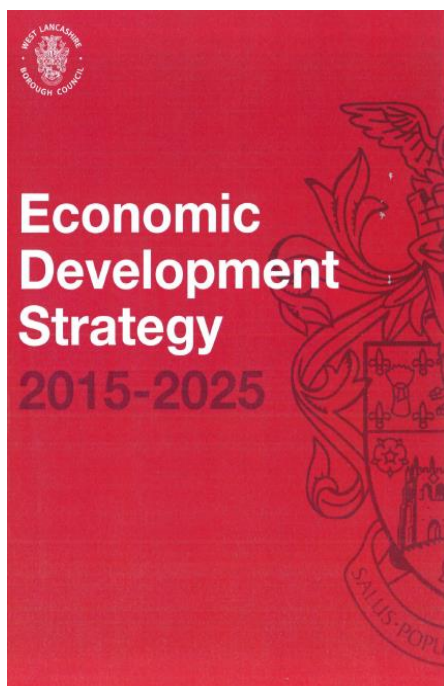
Members agreed to undertake an in-depth study entitled 'West Lancashire Tourism – The Visitor Economy' and confirmed the Project Plan for the review.

Presentation 1 – West Lancashire Tourism – The Visitor Economy

Members considered information presented by the Economic Regeneration Manager. The information presented was supported by a series of slides.¹

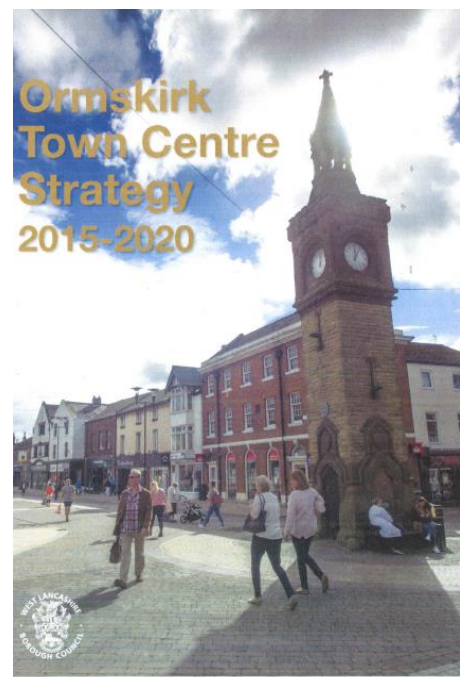
Evidence presented included reference to the following:

- Background to the West Lancashire Visitor Economy



- West Lancashire Strategies: Economic Development Strategy 2015-2025²

- Ormskirk Town Centre Strategy 2015-2020³



Web-page link <http://www.westlancs.gov.uk/more/regeneration-projects.aspx>



- Marketing and Promotion

- Marketing Lancashire
- Beyond West Lancashire and Lancashire boundaries
- Data collection in relation to promotion through the web-site (www.visitLancashire.com), the official Lancashire Tourism website and the campaigns and publications undertaken.

The website statistics (Table 1) for West Lancashire were considered.

Table 1*

Website Statistics

West Lancashire	Page views Apr - Sep 15	Page views Apr - Sep 16	% Change
Accommodation	16,684	19,702	18%
Destinations	10,261	9,535	-7%
Events	43,168	41,214	-5%
F&D	13,474	22,947	70%
Retail	15,380	18,160	18%
Things to do	50,611	65,725	30%
Total	149,578	177,283	19%



Following conclusion of the presentation, Members discussed, raised questions and comments in respect of:

- seasonal tourism – impact on local attractions;
- accommodation promotion – to encourage overnight stays;
- promotion of ‘newer’ local events - Burscough Heritage Weekend;
- Burscough Wharf – attracting canal tourists (moorings; canal side services - restaurants and promotion of local shops.



Leeds and Liverpool Canal – Burscough Wharf*

*Source: Visit Lancashire

Meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 1 December 2016 in the Cabinet and Committee Room, 52 Derby Street, Ormskirk

Presentation 2 – ‘We are Lancashire’

Members considered information presented by Maria Moriaty Eames, Head of Partnerships and Emma Watson, Head of Multi-Channel Marketing, Marketing Lancashire. The information presented was supported by a series of slides.⁴

The presentation included reference to the:

- official visitor brand for Lancashire – “Visit Lancashire – where life feels good”;
- partnerships, including Visit England / Visit Britain and the work being undertaken with the private and public sector;
- opportunities to raise the profile of Lancashire as a “must-visit” destination;
- growth in visitor numbers and increasing the economic impact;
- opportunities to support job creation.

In relation to efforts to increase the visitor economy it was reported that 64.38 million visitors visited Lancashire and the aim was to increase this to 70 million by 2020. (Table 2) In order to achieve this the initiatives to promote the Count, were highlighted.

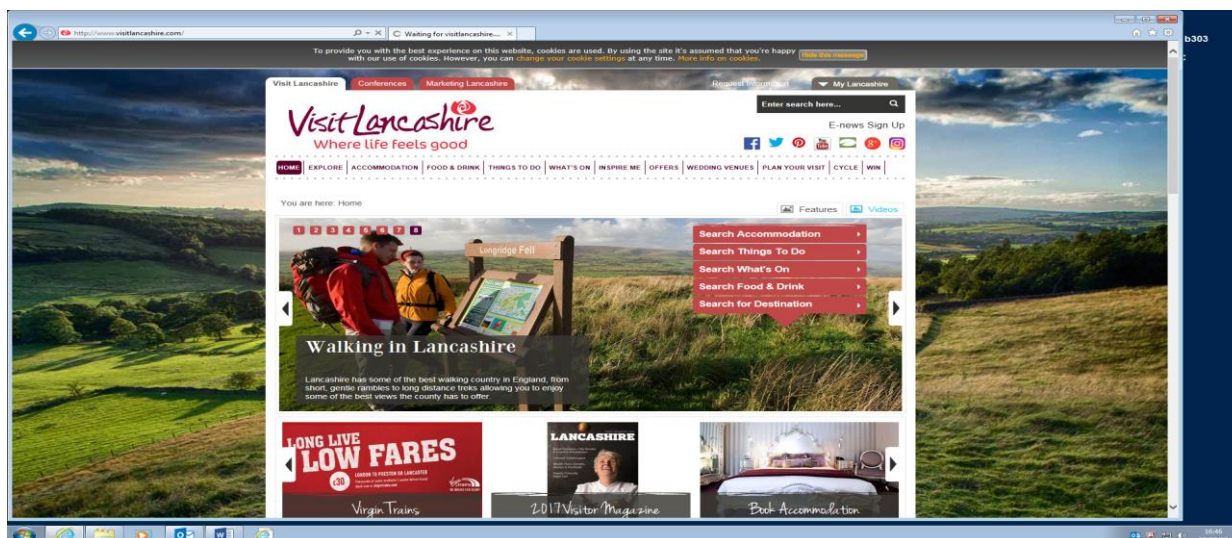
Table 2

Lancashire Visitor Economy – Overview*

NOW	By 2020
64.38 million visitors	70 million visitors
£3.81 billion value to economy	£4.3 billion
56,551 full-time equivalent jobs	+ 5000 employment

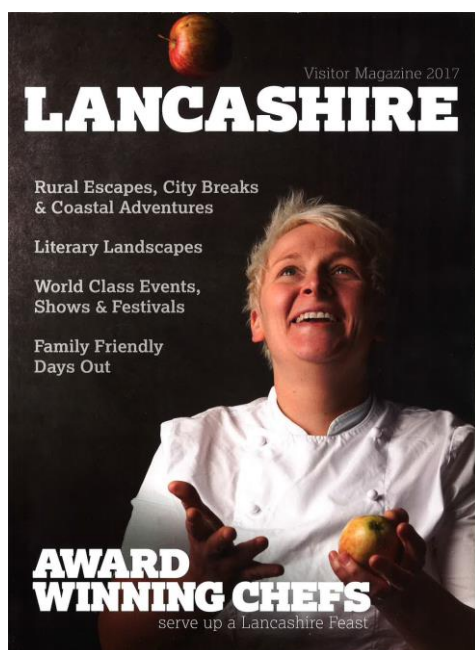
Of particular note was how on-line promotion through the Visit Lancashire web-site was increasing.

Reference was also made to the West Lancashire pages that highlighted things to do and events in the Borough that collectively drew over 325,000 pages views. Data in relation to social media showed 150,000 followers.*



Visit Lancashire – web shot (www.visitlancashire.com)

As well as on-line promotion, the Annual destination guide (Visitor Magazine) 'Lancashire' profiled the lifestyle of the County.

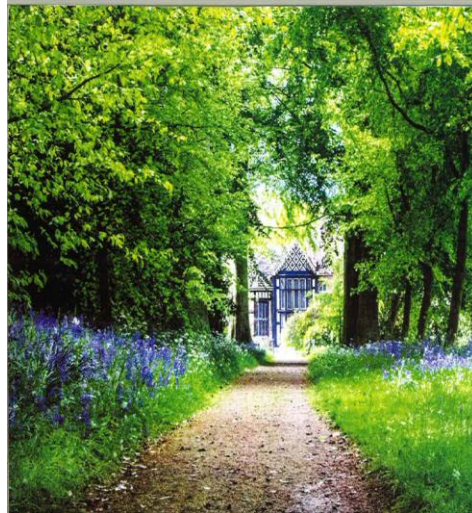


The guide, available in print and as a digital edition, has been distributed to service stations (M6, M62 & M1), railway stations, visitor information centres as well as in major hotels and attractions.* Copies were also distributed at key regional and national events.⁵

The Head of Partnerships highlighted the strategic importance of West Lancashire that included:

- a welcome point to the County;
- as a gateway to capture more visitors / repeat visitors - Edge Hill University;

- product assets in the Borough that have been matched to the County’s identified key strengths:
 - “Food and drink” – West Lancashire’s importance as a culinary destination, with award winning restaurants and artisan food producers.
 - “Great outdoors” – as a tourist destination (Wetland Centre; canal and cycle routes)
 - Heritage and Culture” – unique National Trust Property (Rufford Old Hall)



Rufford Old Hall*

*Source: Visit Lancashire

In discussion questions and comments were raised in relation to:

- The position of West Lancashire as a visitor destination in the County of Lancashire.
- Ratio of day visitors to overnight visitors.
- Accommodation provision (availability / type / strategies to enhance and encourage overnight / lengthier stays in West Lancashire).
- Lancashire Visitor Economy Data – compilation of data; extracting data to analyse impact; model / sources used.
- Lancashire Enterprise Partnership (LEP) – mechanism to feed into the Group.
- Provision of accurate “intelligence” to support visitor experience data.
- Transport infrastructure (updating rolling stock; enhancements to rail network).
- Opportunities to work with neighbouring authorities.
- Promotion of key / unique heritage sites in the Borough (Ormskirk Parish Church; National Trust Rufford Old Hall; Moor Hall).
- Multi-media promotion (Tourist board; Visit Lancashire; media platforms; coach and liner companies)

The representatives from Marketing Lancashire answered questions, providing clarification on the points raised.

As a result of the discussion on the presentation it was concluded:

- Conclusion:**
- (1) Where possible, in relation to visitor economy data for West Lancashire, that data based on postcodes be extracted to ascertain the accuracy of the overnight visitor numbers. (This information was provided during the course of the review.)⁶
 - (2) The importance of gaining customer insight to respond to visitor expectations.
 - (3) The importance of first impressions for visitors coming into West Lancashire.
 - (4) The importance of a collaborative approach to promote West Lancashire as a visitor destination.
 - (5) The importance / promotion of the Borough's key specialist heritage sites (including Ormskirk Parish Church; National Trust Rufford Old Hall; Moor Hall)
 - (6) Enhancing the day visitor experience (coach trips; specialist canal boat trips)
 - (7) The need to change / develop the public perception of West Lancashire as a "gateway" rather than a "drive-through" or "one stop" destination.

Meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 2 March 2017 in the Cabinet and Committee Room, 52 Derby Street, Ormskirk

Presentation 3 – Liverpool City Region – Visitor Economy Development

Members considered a presentation by Peter Sandman, Head of Visitor Economy, Liverpool City Region Visitor Economy. The information was supported by a series of slides.⁷

The presentation opened with an explanation of the role of the Local Enterprise Partnership (LEP) for the Liverpool City Region (LCR) and its stakeholders.

Mr Sandman then went on to explain the destination management of Visit Liverpool, its membership; the role of the LCR Visitor Economy Board and the composition of its Visitor Economy Networks to promote the international brand of Liverpool.

Information presented included the value of the Visitor Economy to the Liverpool Region, the importance of tourism and the infrastructure. Reference was made to the Visitor Economy Strategy and Destination Management Plan to 2025 and its targets.⁸

The Head of Visitor Economy referred to how Liverpool, since being the Capital of Culture in 2008 had seen an increase in its visitor numbers, both day and staying visitors, and went on to explain the model in terms of visitor spread to attract and disperse visitors across the City and geographically. The importance of an area to play to its strengths, position and packaging a town and area, to attract visitors was highlighted. This could include accessing and assessing: demographics; customer needs; inbound visitors and inbound motivations to visit.**

Table 3

Where Visitors Come From (2015)**

Top overseas markets:	Top domestic markets:
Ireland 4% USA 3% Spain 3% Germany 2% Australia 3% France 3%	London & Southeast 26% Yorkshire 18% Northeast 8% Wales 7% Cheshire 6% Scotland 6%

Source: ** Liverpool Destination Survey 2015 (extract)

Members considered the opportunities for West Lancashire. These included:

- Identifying and investing in its key assets – Ormskirk Town Centre; closeness to WWT Martin Mere; Leeds & Liverpool Canal; Rufford Old Hall; strength of the West Lancashire’s rural recreation offer (walking; cycling; barging).⁹
- Customer focus – Packaging and Itineraries.
- Visibility – thematic marketing.
- Ease of access – transport connectivity; journey planning.
- Welcoming Visitors – value of place / location.
- Value of Tourism for West Lancashire – Intelligence & Research.

Potential areas for engagement outside the Borough and joint promotion of the visitor economy included:

- Southport – growth as a visitor destination; marketing opportunities
- Thematic links – Heritage, Wildlife, Local Produce
- Funding opportunities – Discover England Fund¹⁰ – focused on international visitors to Northern Coastal Resorts.
- Cruise Liner Terminal – investment opportunity for excursions.

In discussion comments and questions were raised in respect of the following:

- John Lennon Airport – its importance to Liverpool and connection to the wider region.
- LCR Single Investment Fund – investment in business tourism with a specific focus on Southport – possibly widening scope into West Lancashire.
- Liverpool Enterprise Partnership – packages / proposition promotions / opportunities for joint working.
- Value of technology – digital applications to access / promote West Lancashire
- Visitor Dispersment – District representation (Visitor Economy Board)

Mr Sandman contributed to the discussion and provided clarification on the points raised in relation to his presentation.

- Conclusion:** (1) Officers should continue to engage with the Liverpool Local Enterprise Partnership to build on the links with West Lancashire.
- (2) Draw on the experiences of Visit Southport and Visit Liverpool to provide something similar for West Lancashire.
- (3) Explore how West Lancashire tourism can tie-in with the City of Liverpool.

Presentation 4 – The Visitor Economy in West Lancashire – An Update

Members considered an update by the Economic Regeneration Manager in relation to the visitor economy. It was noted that requested visitor data based on postcodes had been provided.⁶

Information was provided in relation to visitor use of the canal network and access of the Borough by coach parties:

Canals

The canals are accessed and used for many reasons, including leisurely walks, dog walking, fishing, canoeing, boating and nature walks.

There are around 40 pubs, cafes and accommodation on or close to the Liverpool and Leeds canal running through West Lancashire.

The Borough has three large marinas:

- Fettle's Wharf, Scarisbrick
- Fettle's Wharf, Rufford
- St Mary's Marina, Rufford

All of the marinas offer a large number of moorings and offer additional facilities for those boaters that are passing through. They each have a café that are very popular with visitors and provide a stop-off for cyclists.

Burscough Wharf is an important visitor destination alongside the canal. The Wharf is host to the Annual Burscough Heritage Weekend. Council owned Burscough Stables is home to a number of businesses that support the boating community and is a focus point for canal boat users, including acting as a regular mooring for a mobile fuel barge. There are pro-active businesses in the Burscough Stables who are actively working with the Canals and Rivers Trust to develop projects around the Canal at Burscough.

Coach Parties

As a visitor destination Ormskirk is advertised in coach travel magazines and a number of coach companies come into Ormskirk.

As part of the Ormskirk Town Centre Strategy more research will be undertaken into coach travel to increase knowledge and better target visitor groups.

The Visitor Lancashire Magazine 2017 that is being widely circulated features 24 hours In and Around Ormskirk. The article includes reference to many of the tourist attractions in the Borough including Burscough Wharf, WWT Martin Mere Wetlands Centre, National Trust Rufford Old Hall as well as Ormskirk.



Source: Visit Lancashire – Lancashire Visitor Magazine 2017 (digital edition)

Meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 13 July 2017 in the Cabinet and Committee Room, 52 Derby Street, Ormskirk

Presentation 5 - The Visitor Economy in West Lancashire – An Update

Members considered an update by the Economic Regeneration Manager in relation to the promotion of West Lancashire on the Visit Liverpool and Visit Southport web-site.

It was reported that a listing on the Visit Liverpool website and a presence in the Visitor Guide costs £3,500. Other promotional websites were referred to but it was felt that the joining of the Visit Liverpool website was worth pursuing.

Presentation 6 – WWT Martin Mere Wetlands Centre

Members considered a presentation by Nick Brooks, General Manager of the Wildfowl and Wetlands Trust (WWT) Martin Mere Wetlands Centre, Burscough on recent projects and upcoming initiatives. The information presented was supported by a series of slides.¹¹

The presentation opened with an explanation of the year round family-friendly visitor attraction and its contribution to the local economy. Mr Brooks reported that over 200,000 people visited Martin Mere each year and the facility provided employment for 65 people.

Information presented included reference to the wildlife viewing opportunities that brought to Martin Mere a wide range of visitors each year to see the variety of birds that migrate to or inhabit the site.

The General Manager referred to the income generated on-site at Martin Mere where a visitor averaged spending £4 per visit and contributed to the visitor economy in West Lancashire and the wider North West, through travel and overnight stays, estimated to generate £70 per visitor.

Members considered some of the projects and initiatives that were being pursued at Martin Mere. These included:

- A focus on the Whooper Swan, 3,000 of which migrate from Iceland each winter, to Martin Mere. It was stated that this event attracted many visitors and Mr Brooks went on to explain that, in consultation with Burscough Parish Council, they were looking at opportunities to promote the Whooper swan as the possible “symbol of Burscough.”
- Town twinning and educational links – developing closer links with Akureyn, Iceland.
- Linking up with the Yew Tree Farm development – creation of filtration “reed beds” that are known to attract such rare species of birds as the Bearded Tit and Marsh Harriers. It was understood that the proposed reed beds site would be the second biggest in England.
- Cycle Routes – to link Martin Mere with Burscough and the wider rural landscape of West Lancashire.

In discussion comments and questions were raised in respect of the following:

- Excavation of the “reed beds” – investment costs.
- Facilities to encourage visitors to stay overnight or visit other parts of West Lancashire – advertising events to and through Martin Mere; targeting rail, cruise and coach companies; availability of accommodation in and around the Borough.
- Linking visits to two or more tourist sites in West Lancashire.
- Opportunities to attract specialist visitors to Martin Mere – promotion of the rarer migratory birds and habitat; events in the migration period.
- Exploitation of tourist opportunities at Martin Mere – what’s on in West Lancashire
- Involvement of local schools – artwork; special environmental events.

Mr Brooks contributed to the discussion and provided clarification on the points raised in relation to his presentation.

Conclusion: That initiatives that could enhance the visitor experience of Martin Mere and provide a benefit to the wider visitor economy of West Lancashire be supported



Source: WWT Martin Mere Wetland Centre

Other Information

Information that has assisted the work of the review and compilation of this report:

- 1 West Lancashire Tourism – The Visitor Economy (*Presentation slides – October 2016*)
- 2 Economic Development Strategy 2015-2025 (*West Lancashire Borough Council*)
- 3 Ormskirk Town Centre Strategy 2015-2020 (*West Lancashire Borough Council*)
- 4 Visit Lancashire – We are Lancashire (*Presentation slides – December 2016*)
5. Visitor Magazine 2017 – ‘Lancashire’ (*Visit Lancashire*)
6. Accommodation Stock Dataset – West Lancashire Postcodes (*circulated by email 20 December 2016*)
7. Liverpool City Region Visitor Economy (*Presentation slides – March 2017*)
8. Visitor Economy Strategy and Destination Management Plan (*Liverpool Local Enterprise Partnership*)
9. Wetlands and Waterways Routes (*Visit Sefton & West Lancashire*)
10. Discover England Fund – Visit Britain (*web-site information*)
- 11 WWT Martin Mere Wetlands Centre (*Presentation slides – July 2017*)

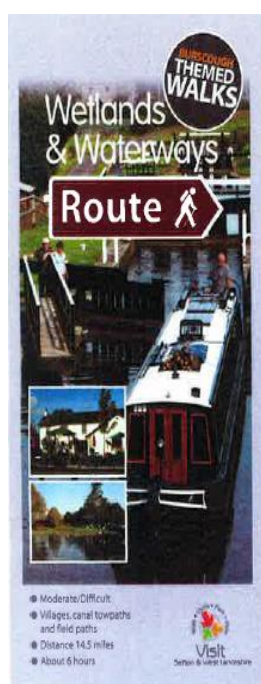
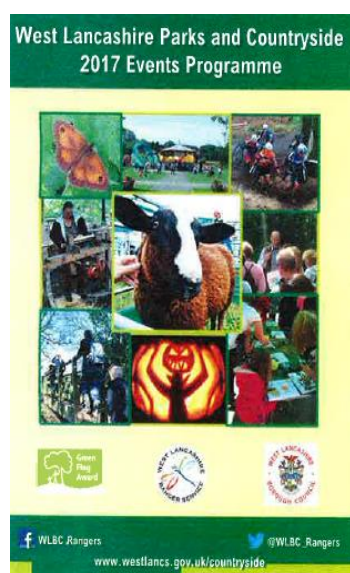
Referenced pictures / data, with thanks to:

*Visit Lancashire

**Liverpool Destination Survey 2015

***WWT Martin Mere Wetlands Centre, Burscough

****West Lancashire Ranger Service and Visit Sefton & West Lancashire



****Source: West Lancashire Ranger Service and Visit Sefton & West Lancashire

Minutes:

Minutes of the meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 13 October 2016, 1 December 2016, 2 March 2017 and 13 July 2017.

Web links:

- <http://www.westlancs.gov.uk/more/regeneration-projects.aspx>
- <http://www.visitlancashire.com/information/request-information/lancashire-visitor-magazine-2017>
- <https://www.liverpoollep.org/growth-sectors/visitor-economy/>
- <http://www.wwt.org.uk/wetland-centres/martin-mere/>
- <https://www.visitengland.com/>
- <https://www.visitbritain.com>
- <https://www.visitbritain.org/discover-england-fund-overview>
- <http://www.visitseftonandwestlancs.co.uk/>

OFFICER SUPPORT

- Lead Officer: Dave Tilleray, Director of Leisure and Wellbeing
- Scrutiny Support Officer: Cathryn Jackson, Principal Overview & Scrutiny Officer
- Officers Reporting: Paula Huber, Economic Regeneration Manager

SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

There are no significant sustainability impacts associated with this report. There are links to the West Lancashire Economic Strategy that promotes the West Lancashire visitor economy and the Ormskirk Town Centre Strategy developed to help deliver growth in Ormskirk Town Centre. The West Lancashire Economic Strategy aims to address a number of issues that have been looked at, as part of this review and will add to that work and an understanding of the Visitor economy in West Lancashire and also a wider understanding of the West Lancashire visitor economy in the sub-regional context of Lancashire and the Liverpool City Region.

FINANCIAL AND RESOURCE IMPLICATIONS

There are financial/resource implications arising from this report. The actions as set down within recommendation (1) adds to the work already being undertaken at part of the West Lancashire Economic Development Strategy 2015-2025. However, if more significant actions were required to implement the actions, if endorsed, particularly those involving partner organisations and external funding could not be secured, additional proposals would need to come forward for further consideration in accordance with established reporting mechanisms. Recommendation 2, if endorsed, will be met using existing budgets.

RISK ASSESSMENT

If projects, resulting from proposals at recommendation (1) do come forward, if implemented, may require formal risk assessments to assess the impact on local residents, business users and visitors. These would be undertaken as part of that process.

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

There will be a direct impact on members of the public, employees, elected members and / or stakeholders as a result of recommendations that may come forward, if implemented. An EIA would be undertaken as part of that process.

Appendices

- (1) Project Plan

CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE – PROJECT PLAN

Title: **WEST LANCASHIRE TOURISM – THE VISITOR ECONOMY**

MEMBERSHIP 2016/17:

Chairman: Councillor N Hennessy Vice-Chairman: Councillor D West

Councillors: Barron, Mrs Blake, Blane, Cotterill, Currie, D Evans, Greenall, G Hodson, Kay, McKay, Nixon, Pryce-Roberts and Yates

MEMBERSHIP 2017/18:

Chairman: Councillor N Hennessy **Vice Chairman:** Councillor D Evans

Councillors: M Barron, Mrs M Blake, T Blane, P Cotterill, S Currie, G Hodson, J Kay, D McKay, M Nixon, N Pryce-Roberts, Savage, West and Westley.

TERMS OF REFERENCE

1. To undertake a review entitled 'West Lancashire Tourism – the Visitor Economy'
2. To present a report of the Committee's findings to Cabinet and Council, as appropriate.

OBJECTIVES

The present –

- To understand the visitor economy in West Lancashire in 2016
- To understand the West Lancashire visitor economy in the sub-regional context of Lancashire and the Liverpool City Region
- To understand a private sector perspective of a tourism project, working with the Borough Council and Parish Council

The future –

- To continue to promote West Lancashire as a visitor destination
- To continue to work with Marketing Lancashire and continue to develop relationships with the Head of Visitor Economy Development for the Liverpool City Region for the benefit of promoting West Lancashire
- To continue to work with businesses and organisations within West Lancashire to promote projects and initiatives that benefit the local economy

Comparison –

- Marketing Lancashire, Lancashire Enterprise Partnership – how they promote

West Lancashire as part of the Lancashire visitor offer

- Liverpool City Region, Liverpool Enterprise Partnership – how can the Borough Council and Liverpool LEP work together to better promote the visitor offer

Resources -

- The Council’s Director of Development and Regeneration will provide technical support and guidance, together with Officers from across the Authority, including Leisure and Wellbeing Services, to be consulted as appropriate.
- External contribution, as appropriate
- Any funding requirements will be included in the final recommendations of the Committee.

INFORMATION

<http://www.westlancs.gov.uk/more/regeneration-projects.aspx>
<http://www.visitlancashire.com>
<https://www.liverpoollep.org>
<http://www.wwt.org.uk/wetland-centres/martin-mere/>
<https://www.visitengland.com>
<https://www.visitbritain.com>
<https://www.visitbritain.org/discover-england-fund-overview>
<http://www.visitseftonandwestlancs.co.uk/>

Witnesses:

Who?	Why?	How?
Representatives from Marketing Lancashire, Lancashire Enterprise Partnership	To provide insight into how West Lancashire is promoted as a visitor destination	<u>Attendance at a meeting, if appropriate or presentation or information.</u>
Representatives from Liverpool City Region, Liverpool Enterprise Partnership	To provide insight into how West Lancashire could be promoted as a visitor destination within the Liverpool City Region.	<u>Attendance at a meeting, if appropriate or presentation of information</u>
Representative from WWT Martin Mere, Burscough	To provide information on this important visitor attraction and how organisations are working together to promote it	<u>Attendance at a meeting, if appropriate or presentation of information</u>

ESTABLISH WAYS OF WORKING

Officer Support

Lead Officer (Corporate and Environmental Overview & Scrutiny Committee) – Dave Tilleray, Director of Leisure and Wellbeing

Scrutiny Support Officer (SSO) – Cathryn Jackson, Principal Overview and Scrutiny Officer

Legal Officer (LO) – Neil Astles, Assistant Solicitor

Officers reporting as and when required –

John Harrison, Director of Development and Regeneration, or Officers on his behalf
Ian Gill, Deputy Director of Development and Regeneration

Paula Huber, Economic Regeneration Manager

Dave Tilleray, Director of Leisure and Wellbeing, or Officers on his behalf

Reporting Arrangements

The Director of Development and Regeneration, or Officers on his behalf, will contribute as appropriate to aspects of the review relating to West Lancashire as a visitor destination.

The Director of Leisure and Wellbeing, or Officers on his behalf, will contribute, as appropriate, to aspects of the review related to leisure.

The Lead Officer (Director of Leisure and Wellbeing)/Principal Overview and Scrutiny Officer will co-ordinate the generic elements of the review and submit reports as required.

The Corporate and Environmental Overview and Scrutiny Committee to submit its final report and recommendations to Cabinet and Council September/October 2017.

TIME SCALES

Meeting 1 – 13 October 2016

- Introduction of the theme of the topic from the Deputy Director Development and Regeneration, presentation from the Economic Regeneration Manager on the background to the West Lancashire visitor economy
- Review confirmed to commence.
- To agree the Project Plan

Meeting 2 – 1 December 2016

- To consider a presentation from Marketing Lancashire on the Lancashire visitor economy and how West Lancashire is promoted as a visitor destination
- To agree and review the Project Plan

Meeting 3 – 2 March 2017

- To consider a presentation from Liverpool City Region to provide some insight into how we could work together on joint promotion of the visitor economy

Meeting 4 – 13 July 2017

- To consider a presentation from WWT Martin Mere on their ambitions for this important visitor attraction and how organisations, including the Borough Council can help with promotion and marketing
- To agree the draft final report and final recommendations for submission to Cabinet and Council, if applicable in September/October 2017.

Cabinet – 12 September 2017

Submission of final report

Council - 18 October 2017

To receive the final report, if applicable.

INFORMATION GATHERED

13 October 2016	Economic Development Strategy 2015-2025) Ormskirk Town Centre Strategy 2015-2020
13 October 2016	West Lancashire Tourism – The Visitor Economy (<i>Presentation Slides</i>)
1 December 2016	'We are Lancashire' - Marketing Lancashire - ' <i>(Presentation Slides)</i>
2 March 2017	Liverpool City Region – Visitor Economy Development (<i>Presentation slides</i>)
2 March 2017	Visitor Economy – Strategic & Destination Management Plan November 2014)
13 July 2017	WWT Martin Mere Wetlands Centre (<i>Presentation slides</i>)
OTHER	
	Economic Development Strategy 2015-2025) Ormskirk Town Centre Strategy 2015-2020
	Visitor Economy – Strategic & Destination Management Plan November 2014)
	Branding information – Ormskirk Town Centre (<i>WLBC/Ormskirk Town Centre Management Group</i>
	Great Days Out by Train (<i>Visit Southport & West Lancashire</i>)
	Themed Cycle Routes (<i>Lapwing Route Burscough / Moorhen Route Hoscarr</i>) – (<i>Visit Southport & West Lancashire</i>)
	Wetlands & Waterways (<i>Burscough Themed Walks</i>) – (<i>Visit Southport & West Lancashire</i>)
	West Lancashire Parks and Countryside 2017 Events Programme (<i>West Lancashire Borough Council</i>)
	Lancashire – Visitor Magazine 2017 (<i>Marketing Lancashire</i>)

CONCLUSION:

RECOMMENDATIONS:

The Corporate and Environmental Overview and Scrutiny Committee make the following recommendations:

- (1)** That the Council (subject to resource availability) work with our partners to:
 - (i) continue to support West Lancashire as a visitor destination.
 - (ii) continue to work with Marketing Lancashire for the benefit of promoting West Lancashire.
 - (iii) continue to develop and build on relationships established with the Head of Visitor Economy for the Liverpool City Region (Liverpool Local Enterprise Partnership) in the promotion of West Lancashire.
 - (iv) draw on the experiences of Visit Southport and Visit Liverpool to provide something similar for West Lancashire to include joining Visit Liverpool to provide something similar for West Lancashire.
 - (v) continue to work with businesses and organisations within West Lancashire to promote projects and initiatives that benefit the local economy, including bringing forward accommodation projects and increasing advertisement of accommodation.
 - (vi) seek to further improve the promotion of West Lancashire and the importance of
 - (a) gaining customer insight to respond to visitor expectations;
 - (b) first impressions for visitors coming into West Lancashire;
 - (c) a collaborative approach to promote West Lancashire as a visitor destination;
 - (d) the Borough's key specialist heritage sites (including Ormskirk Parish Church, National Trust Rufford Old Hall and Moor Hall);
 - (e) enhancing the visitor experience (coach trips; specialist canal boat trips);
 - (f) changing and developing the public's perception of West Lancashire as a "gateway" rather than a "drive-through" or "one stop" destination.
 - (g) continuance of the research being undertaken, as part of the Ormskirk Town Centre Strategy, into coach travel to increase knowledge and better target visitor groups.
 - (h) WWT Martin Mere, Burscough and its links with the community, local schools and Parish Council through initiatives, projects and future development of the visitor attraction.
- (2)** That the final report of the Corporate and Environmental Overview and Scrutiny Committees review to be circulated to Marketing Lancashire, Lancashire Local Enterprise Partnership, Liverpool Enterprise Partnership, WWT Martin Mere Wetlands Centre, Edge Hill University, scrutiny at Lancashire County Council and published on the Council and Centre for Public Scrutiny (CfPS) web-sites.

(3) That the Corporate and Environmental Overview and Scrutiny Committee review its recommendations in March 2018.

REVIEW DATE – 1 March 2018

MINUTE OF CABINET – 12 SEPTEMBER 2017

34 WEST LANCASHIRE TOURISM - THE VISITOR ECONOMY - FINAL REPORT OF THE CORPORATE & ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE

The Leader introduced the report of the Director of Leisure and Wellbeing which presented the final report and recommendations of the review conducted by the Corporate and Environmental Overview and Scrutiny Committee entitled “West Lancashire Tourism – The Visitor Economy”.

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 Corporate and Environmental Overview and Scrutiny Committee be complimented on their work.

(B) That the following recommendations contained in the final report of the Corporate and Environmental Overview and Scrutiny Committee on West Lancashire Tourism – The Visitor Economy be approved:

(1) That the Council (subject to resource availability) work with our partners to:

(i) continue to support West Lancashire as a visitor destination.

(ii) continue to work with Marketing Lancashire for the benefit of promoting West Lancashire.

(iii) continue to develop and build on relationships established with the Head of Visitor Economy for the Liverpool City Region (Liverpool Local Enterprise Partnership) in the promotion of West Lancashire.

(iv) draw on the experiences of Visit Southport and Visit Liverpool to provide something similar for West Lancashire to include joining Visit Liverpool to provide something similar for West Lancashire.

(v) continue to work with businesses and organisations within West Lancashire to promote projects and initiatives that benefit the local economy, including bringing forward accommodation projects and increasing advertisement of accommodation.

- (vi) seek to further improve the promotion of West Lancashire and the importance of
 - (a) gaining customer insight to respond to visitor expectations;
 - (b) first impressions for visitors coming into West Lancashire;
 - (c) a collaborative approach to promote West Lancashire as a visitor destination;
 - (d) the Borough's key specialist heritage sites (including Ormskirk Parish Church, National Trust Rufford Old Hall and Moor Hall);
 - (e) enhancing the visitor experience (coach trips; specialist canal boat trips);
 - (f) changing and developing the public's perception of West Lancashire as a "gateway" rather than a "drive-through" or "one stop" destination.
 - (g) continuance of the research being undertaken, as part of the Ormskirk Town Centre Strategy, into coach travel to increase knowledge and better target visitor groups.
 - (h) WWT Martin Mere, Burscough and its links with the community, local schools and Parish Council through initiatives, projects and future development of the visitor attraction.

(2) That the final report of the Corporate and Environmental Overview and Scrutiny Committees review to be circulated to Marketing Lancashire, Lancashire Local Enterprise Partnership, Liverpool Enterprise Partnership, WWT Martin Mere Wetlands Centre, Edge Hill University, scrutiny at Lancashire County Council and published on the Council and Centre for Public Scrutiny (CfPS) web-sites.

(3) That the Corporate and Environmental Overview and Scrutiny Committee review its recommendations in March 2018.

(C) That the final report of the Corporate and Environmental Overview and Scrutiny Committee on West Lancashire Tourism – The Visitor Economy, attached at Appendix A, be approved.

(D) That the final report and recommendations at (B) above (approved, subject to resources) be submitted to Council for approval on 18 October 2017.

(E) That call-in is not appropriate for this item as it has previously been considered by the Corporate and Environmental Overview and Scrutiny Committee.



COUNCIL: 18 October 2017

Report of: Borough Solicitor

Contact for further information: Mrs C A Jackson (Extn. 5016)
(E-mail: cathryn.jackson@westlancs.gov.uk)

OVERVIEW AND SCRUTINY ANNUAL REPORT 2016/17

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To present the Overview and Scrutiny Annual Report 2016/17 and consider how overview and scrutiny is working at West Lancashire.

2.0 RECOMMENDATION

2.1 That the Overview and Scrutiny Annual Report 2016/17, appended to this report, be noted and the Overview and Scrutiny Committees be commended on their work.

3.0 CURRENT POSITION

3.1 The Overview and Scrutiny Annual Report, appended to this report, provides details of the work of the Overview and Scrutiny Committees undertaken during 2016/17.

4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

4.1 Overview and scrutiny arrangements can assist in involving the community in decisions which affect their lives. Individual projects undertaken have links to the community strategy.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are no specific financial or resource implications arising from this report. However, there are financial and resource implications in respect of officer and member time in dealing with overview and scrutiny matters which must be contained within available resources.

6.0 RISK ASSESSMENT

6.1 Effective overview and scrutiny arrangements are important in holding the executive to account, policy development and meeting statutory requirements.

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 or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Appendix - Overview and Scrutiny Annual Report 2016/17



West Lancashire Borough Council

Overview and Scrutiny Annual Report 2016/17



INTRODUCTION

Welcome to the fourteenth annual report on Overview and Scrutiny in West Lancashire, which gives a retrospective insight into the work undertaken by each of the Council's Overview and Scrutiny Committees and information on some of the subjects our committees will be scrutinising during 2017/18.

In 2016/17 Overview and Scrutiny at West Lancashire operated through two Committees, the Executive Overview and Scrutiny Committee and the Corporate and Environmental Overview and Scrutiny Committee. The work undertaken has been wide-ranging and the report notes key scrutiny activity handled over the last year. Members in examining the issues presented to them have considered best practice and taken evidence from interested parties, highlighting the reasons that informed the recommendations resulting from their work.

Recognising the extensive and in depth nature of the work undertaken by the two Committees, I would like to thank, past and current Members who were involved in the scrutiny activities during 2016-17. Particular thanks goes to those external to the Council who gave up their time to attend meetings and contribute to the work of the Committees.

The Council continues to recognise the importance of the independent challenge of overview and scrutiny and the diversity of the contributions that has been invaluable in assisting the approach to overview and scrutiny at West Lancashire Borough Council.

Terry Broderick
Borough Solicitor
September 2017

SCRUTINY IN WEST LANCASHIRE

In 2016/17 Overview and Scrutiny operated through two committees – The Executive Overview and Scrutiny Committee and the Corporate and Environmental Overview and Scrutiny Committee.

Executive Overview and Scrutiny Committee

The Executive Overview and Scrutiny Committee continues to provide a cross-cutting forum to consider matters as follows:

- 'Call In' – scrutinising decisions made by Cabinet prior to implementation
- 'Post Hoc Scrutiny' – examining decisions after they have been made
- Considering matters referred by Cabinet or Council
- Making proposals to Cabinet or Council/reviewing the performance of the Cabinet and the Council's senior officers
- Conducting budget and policy development linked to the Cabinet Cycle

During 2016/17 under the Chairmanship of **Councillor Neil Furey**, the business of the Executive Overview and Scrutiny Committee included consideration of the following matters:

'Call In'

One 'call-in' request was received. In respect of this request, following a debate no alternative decision was put forward to Cabinet. Detail of the item called-in is set down at Appendix 1.

'Post Hoc Scrutiny'

All minutes of Cabinet meetings were referred to the Committee for post hoc scrutiny. As part of this process the Committee raised questions and made observations on the following items:

- Environmental Improvements Budgets – use of monies (rationale) for the provision of additional car parking at sheltered housing accommodation.
- One for One Capital Receipts – vacated properties improvements (current position); retained capital receipts – exploration of financial flexibilities options (retained receipts/fund returns to Government Office)
- Forming a Development Company – Options Appraisal Supporting Construction Development – reporting mechanism following option appraisal.
- Hall Green Option Appraisal – Establishment of a Cabinet Working Group.
- Moor Street Gateway Project – authority of the delegation; on-going delegations as Project progresses.
- Community Infrastructure Levy (CIL) Funding Programme 2017/18 – allocation process; feedback (successful bids); assistance with the preparation of bids; consideration by overview and scrutiny; understanding/explanation of the methodology/process.

Matters referred by Cabinet or Council to Executive Overview and Scrutiny Committee for views and comments

Agendas regularly include items that are referred both to Executive Overview and Scrutiny Committee and Cabinet.

In 2016/17, the following items was referred by Cabinet to the Committee.

- Moor Street Gateway Project
- Local Plan Review – Scoring and Issues & Options Consultation
- Homelessness Strategy 2017-2022 (Consultation Draft)

Detail of the items referred is set down at Appendix 2.

Making proposals to Cabinet or Council

The Overview and Scrutiny Committee has the power to make recommendations to the Cabinet or Council in respect of any issue.

Conducting policy and budget development linked to the Cabinet Cycle

Policy and Budget Development is also a key role for scrutiny and the Committee was involved in the following during the year:

- Council Plan 2017-18
- Corporate Performance Management 2017/18

Scrutiny members were also members of the following Cabinet Working Groups:

- Local Plan
- Funding of Voluntary Bodies and Other Organisations
- Landlord Services Committee
- Estates Revival
- West Lancashire Leisure Partnership
- Hall Green

Budget Scrutiny

The Committee has continued to be involved in budget scrutiny. Directors/Heads of Service and various officers across the Council have attended meetings to provide information and answer questions.

The Committee has been involved with the following budget monitoring during the year:

- Capital Programme Outturn 2015-16
- Capital Programme Monitoring 2016-17
- Revised Capital Programme and Mid Year Review 2016-2017
- Housing Revenue Account (HRA) and Capital Monitoring
- General Revenue Account Budget 2017-18
- Medium Term GRA Capital Programme
- Housing Account – Revenue and Capital Programme

Corporate and Environmental Overview and Scrutiny Committee

The remit of the Corporate and Environmental Overview and Scrutiny Committee is to:

- Undertake Performance Management.
- Conduct in-depth reviews/policy development within each Service, including related external matters as set out in its Work Programme for the relevant year.
- Routinely review recommendations from previous reviews.
- Consider Members' items (including Councillor Call for Action).
- Consider Items referred to it from the Members' Update at the request of a Member.
- Act as the Council's Crime and Disorder Committee.

Under the Chairmanship of **Councillor Nikki Hennessy** the business of the Corporate and Environmental Overview and Scrutiny Committee in 2016/17 included consideration of the following matters:

Performance Management

The Committee plays a key role in performance management by:

- Monitoring and commenting on Council performance by considering regular performance management reports.
- Requesting additional performance information to scrutinise specific service quality.
- Holding the Cabinet and Officers to account if specified outcomes are not being met, ensuring questions are asked both about value for money and the performance of staff.
- Ensuring that effective performance systems are in place and working well.
- Conducting strategic reviews that include service performance in line with strategic objectives.
- Raising individual agenda items on aspects of poor performance.

During 2016/17 the Committee considered:

- Quarterly Performance Indicators ended 31 March 2016 with particular reference to:
 - HS1 (% Housing repairs completed in timescale) – financial impact of missed target; effect of downturn in performance on tenants/contractors performance; PI target triggers (balance %)
 - HS13 (% LA properties with CP12 outstanding) – process to gain entry; financial implications; variation of visiting times;
 - TS24a (Average time taken to re-let local authority housing (days) (General Needs) – financial impact of missed target; process associated with calculation of PI.
 - WL18 (Use of leisure and cultural facilities (swims and visits) – access to data
 - NI191 (Residual household waste per household (Kg) – changes in recycling of insert waste (charges) – impact on minor applications.

- NI195b (Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting) (Detritus) – Survey, details of locations visited; involvement of ward councillors.
- Quarterly Performance Indicators ended 30 June 2016, with particular reference to:
 - NI157b (Processing of planning applications: Minor applications and
 - NI157c (Processing of planning applications: Other applications) – commentary explanation
- Quarterly Performance Indicators ended 30 September 2016 and 31 December 2016, with particular reference to:
 - Performance managed through the LCC/BTLS Contract – provision of performance plans / breakdown of communications faults.

Relevant officers attended the meetings and provided additional information and responded to questions.

Other items considered:

At the request of Cabinet, the Corporate Overview and Scrutiny Committee receive annually, in the form of a presentation to Members, a report on the work undertaken in the previous twelve months on the:

- **ICT / Benefits & Revenues Shared Services**
An update of the work undertaken in the previous twelve months, as part of the shared service arrangements, is considered by the Committee. In 2016/17 the Directors of ICT and Revenues & Benefits of BT Lancashire Services, attended a meeting (14 July 2016) to present the annual report of that body and responded to questions on their presentations.
- **Leisure Trust**
An update on the work undertaken in the previous twelve months is presented on behalf of West Lancashire Community Leisure (WLCL)/SERCO. In 2016/17 the Contracts Manager, along with the Chairman of WLCL, attended a meeting (13 October 2016) to present the annual report of that body and responded to questions on the presentation.
- **Welfare Reforms and Universal Credit**

Following a previous request by the Committee, a further update on Welfare Reforms and Universal Credit was also provided in 2016/17 through a Members Update Article.

In-depth review/policy development

‘A Market Town Strategy for Ormskirk’

The Committee concluded its work on this review in 2016/17. The final report and recommendations were approved and submitted to Cabinet on 13 September 2016 and Council on 19 October 2016.

Following circulation of the final review report, the Chairman was invited to attend a meeting of Lancashire County Council Scrutiny Committee. Councillor Hennessey, accompanied by the Council’s Technical Services Manager and Principal Overview and Scrutiny Officer, presented the report to that Committee on 10 February 2017. The report was positively received by LCC Scrutiny Committee Members.

Progress on the in-depth study’s recommendations were considered by the Committee at its meeting on 2 March 2017.

‘West Lancashire Tourism – The Visitor Economy’

In 2016/17 the Committee commenced its work to carry out a review to explore the visitor economy in West Lancashire.

The Committee received presentations and information from a number of external contributors including representatives from Marketing Lancashire, Liverpool Local Enterprise Partnership and Martin Mere Wetlands Centre.

Briefings were also provided by Officers from Economic Regeneration to assist in the exploration of the issues.

Work on the review will conclude in 2017/18.

Flooding of the Highways Drainage System

Following a request from the Committee this item was included in the Committee’s work programme in 2016/17 in response to Members concerns in relation to the Borough’s highways drainage system, following widespread flooding in the Borough in December 2016.

The Cabinet Member for Highways and Transport, Lancashire County Council attended a meeting of the Committee for a question and answer session and provided information on the maintenance and programmed work undertaken by the County Council on highway gullies in the Borough, and the response by the County Council, and other agencies in flood situations.

Lancashire and South Cumbria Sustainability and Transformation Plans (STPs)

Following a request from the Committee, after the item was raised from a Members Update item (see below), this item was added to the Committee’s work programme for scrutiny in 2016/17. The Finance Director of the Lancashire and South Cumbria Change Programme (Healthier Lancashire) attended a meeting of the Committee, answered questions from Members and provided additional information on the financial matters associated with the STPs.

Scrutiny by the Committee on this item will continue in 2017/18 with a presentation, to a future meeting, from a representative of West Lancashire Clinical Commissioning Group.

Other matters referred to the Corporate and Environmental Overview and Scrutiny Committee for views and comments

In 2016/17 the following items were referred to the Committee:

- Draft Green Infrastructure and Cycling Strategy
- Community Infrastructure Levy (CIL) Funding Programme 2017/18
- Improved Planting

Details of the items referred are set down at Appendix 3.

Member Development Commission

The overview of the development of Members continues through the Commission, the Member Development Group representatives and Portfolio Holders/Shadow Portfolio Holders with special interests. The Commission meets twice a year and Members have been kept abreast of courses, conferences and other training opportunities and Members have attended these in accordance with their particular areas of interest. The Identification of Training Needs (ITNs) for Members continued.

Members have also attended events organised for them in-house including sessions on new member induction; overview and scrutiny; RIPA; licensing; planning; governance; finance; risk management; equality; procurement; licensing; planning processes/key planning issues; ICT; code of conduct and standards.

The Committee is kept up-to-date with the work of the Commission through the minutes of its meetings.

Public Involvement at Meetings Working Group

The Group, established in 2015/16, met on 3 occasions in 2016/17. The Group concluded its Electoral Review of West Lancashire and the outcome of its work on the Council's elected membership, ward boundaries, members per ward and the electoral cycle was presented to the Committee.

The Group will review its recommendations in relation to public involvement at meetings in 2017/18.

Member items/Councillor Call for Action

Any Member can ensure that any matter relevant to the remit of the Committee can be placed on the agenda and discussed at a meeting in accordance with the protocol for submitting Members Items and Councillor Call for Action in accordance with the provisions in the Local Government and Public Involvement in Health Act 2007 (as amended).

There were no items requested under this arrangement in 2016/17.

As referred to above the Work Programme of the Committee was extended in 2016/17, in response to a decision of the Committee to include scrutiny of Flooding of the Highways Drainage System and work in relation to the proposed Sustainability Transformation Plans (STPs).

Items referred from the Members Update at the request of a Member

Members receive, through the Members' Update system, information reports on current and developing issues, performance, and decisions taken under delegated authority and are able to request items to be included on the next appropriate Committee agenda for more detailed scrutiny. Directors/Heads of Service and other officers attend meetings to provide information and answer questions.

In 2016/17 one item was requested from the Members Update – Minutes of LCC Health Scrutiny Committee 18 October 2016, Minute 4 - Lancashire and South Cumbria Sustainable Transformation Plan (STP). As a consequence of a Member raising this through the Members Update process, the Committee requested a presentation from a representative of the Lancashire and Cumbria Change Programme (Healthier Lancashire). This subsequently took place at the Committee's meeting on 2 March 2017, as referred to above. Work in relation to STPs will continue in 2017/18.

Crime and Disorder Committee

Section 19 of the Police and Justice Act 2006 requires every local authority to have a crime and disorder committee with the power to review or scrutinise decisions made or other action taken in connection with the discharge by responsible authorities of their crime and disorder functions. The Crime and Disorder (Overview and Scrutiny) Regulations 2009 complement the provisions under section 19.

The Corporate and Environmental Overview and Scrutiny Committee has been designated as the committee responsible for undertaking this function, enabling that committee to scrutinise the work of the West Lancashire Community Safety Partnership and the partners who comprise it, insofar as their activities relate to the partnership itself. The legislation gives powers to scrutinise the Community Safety Partnership (CSP) rather than the partners to encourage Members to focus on policy issues rather than individual organisations. The Council has a duty to carry out crime and disorder scrutiny at least once a year in order to fulfill its statutory responsibility.

At the meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 21 March 2017 Members received a presentation on the role and the work of the CSP that had been undertaken during 2016/17. It detailed the Partnership's initiatives in and with the community during the preceding 12 months and the multi-agency approach to manage key local priorities. The Environmental Protection and Community Safety Manager attended the meeting to provide information and respond to questions.

OFFICER SUPPORT

The Council ensures that officers effectively support the overview and scrutiny function to encourage a healthy culture of open debate and reporting. It has developed an integrated approach with officer support from a variety of sources: Member Services, Partnership/Performance and officers from Services across the Council. This integrated

approach means that a full range of professional skills can be used when undertaking any particular scrutiny exercise.

The Borough Solicitor is responsible for the Council's overview and scrutiny function.

Overview and Scrutiny Committees are administered by Member Services, led by the Assistant Member Services Manager, to bring a supported and corporate approach to the scrutiny process, whilst maintaining its independence within the democratic function.

This Council has a supportive senior officer culture for Overview and Scrutiny. As well as attending meetings, Directors/Heads of Service and other senior officers play a proactive role in supporting the function by:

- Assisting in identifying the work programme (ensuring it is focused on the Council's corporate priorities, thereby adding value), being mindful of big issues "on the horizon", scheduling in reports from the inspectorate regimes etc.
- Briefing Members on current issues.
- Assisting in identifying officer support when required.
- Overseeing the quality and value of reports to Committees.

The Borough Transformation Manager & Deputy Director of Housing and Inclusion Services leads the performance management agenda on behalf of the Council through:

- Provision of performance information, production of corporate performance plan, establishing the Council's high-level priorities, target and action.
- Corporate inspection regimes.
- Establishment of the Council's Performance Management Framework including the incorporation of service plans.

Officers from Leisure and Wellbeing Services and West Lancashire Community Safety Partnership have supported development relating to crime and disorder scrutiny.

OVERVIEW AND SCRUTINY NETWORKS/TRAINING

Overview and Scrutiny Network – North West Scrutiny Support Officers' Network (NWSSON)

The network was established in order to look at the following:

- Benchmarking – to introduce a scrutiny benchmark, which would measure impacts and outputs;
- Share good practice;
- Establish a professional network and possibly arrange joint training on scrutiny matters;
- To reinforce the member network, organised by the North West Employers Organisation;
- To establish a channel for information and good practice.

During 2016/17 we have continued to support the Network by ad hoc attendance at organised meetings to hear from presenters, including representatives from South Cumbria STP; Lancashire and South Cumbria Change Programme (Healthier Lancashire); Cheshire and Merseyside (5 Year Forward View); Centre for Public

Scrutiny (CfPS); Care Quality Commission (CQC) and receive information on emerging issues. These have included: Combined Authorities and Devolution, NHS Sustainability Transformation Plans (STPs); Engagement with Scrutiny (CQC), CfPS – Championing the role of Scrutiny.

North West Strategic Scrutiny Network (NWSSN) – North West Employers' Organisation

This councillor led network is for scrutiny chairmen, vice chairmen and experienced scrutineers. The role of the group is to support councillors in their development of their scrutiny function role, share good practice and advice and highlight local and national drivers.

The network is open to both Councillors and officers in organisations who hold membership with North West Employers.

The NWSSN aims are:

- To increase collaboration between authorities to ensure greater efficiencies and explore value for money approaches.
- To support the value of overview and scrutiny.
- To share intelligence, knowledge, resources and generate ideas to improve scrutiny function.
- To disseminate information on national and regional initiatives to ensure equal opportunity.
- To share strategic and practical contributions and recognise the value of listening to experiences.

The NWSSN, Centre for Public Scrutiny (CfPS) and NWE also provide sign-posts to guidance and information through Bulletins and Newsletters.

HEALTH SCRUTINY

Health Scrutiny functions are conferred on Councils with social services responsibilities as a result of The Local Authority (Public Health, Health and Well-Being Boards and Health Scrutiny) 2013 Regulations.

The Health Scrutiny Committee at LCC exercises the statutory functions of a health overview and scrutiny Committee. The purpose of the Committee is to review and scrutinise issues around public health and health inequalities. Membership includes 12 non-voting co-opted district Council Members. In 2016/17 West Lancashire's representative was Councillor G Hodson.

Members receive regular Members' Updates on the work being undertaken by the Committee in order to provide an opportunity to feed back any comments via the Council's representative or request items to be included on the next appropriate Committee agenda for more detailed scrutiny as referred to above in relation to the Lancashire and South Cumbria Sustainability Transformation Plan (STP).

The North West Ambulance Service also provide information through Bulletins to its stakeholders.

PUBLICITY

Press releases are regularly sent out to the local press in the area. Independent articles related to work undertaken through the reviews have also been reported on in newspapers circulating in the Borough. Items covered have included: Ormskirk Town Centre – car parking; “gullies”; traffic problems; traffic regulations; market town branding; supporting small firms. Alcohol - responsible drinking. Cycling – cyclists safety and cycle path provision. Flooding in the Borough – land drainage; capacity of local pumping stations; flood prevention and on the Tourism and Polling Station reviews.

WORK PROGRAMMES

The process for establishing the work programmes is well established.

- **Members of the Council** submit topics (to ensure Member involvement)
- **Members of the Corporate Management Team** submit topics (to ensure a strategic input into the process)
- **Members of the public** submit topics via a press release and the inclusion of an article on the Council’s web site (to encourage public participation)

The Work Programme for each Committee is included on the Council’s web site, which includes a facility to submit potential topics. Comments in relation to overview and scrutiny in general may also be sent.

The Council uses well-established Selection/Rejection Criteria for scoring topics to ensure a structured approach to the selection of topics to be included in the Work Programme.

Other area of supportive related scrutiny work undertaken during 2016/17 has included the completion of the Annual CfPS Survey.

THE PLAN FOR THE DEVELOPMENT OF OVERVIEW AND SCRUTINY

- The Annual Report will routinely be submitted to Council.
- The Overview and Scrutiny web page will continue to be updated.
- Support will continue for innovative reviews.
- Work in relation to joint scrutiny with the County Council, will continue to be developed, within existing resources.
- Performance Management including the annual review of the work undertaken through BT Lancashire Services and West Lancashire Leisure Trust.
- Operation of the overview and scrutiny agenda through two Committees.
- Participation in the Scrutiny Networks, where appropriate.
- Further training will be provided for officers and members, within existing resources.

CONCLUSION

This report has highlighted the main activities undertaken by overview and scrutiny during 2016/17. The Overview and Scrutiny Committees have considered a range of issues that impact on the Council and the Borough as a whole. Overview and Scrutiny will continue to ensure policies and practices are developed and meet objectives.

CONTACTS

For further information about this annual report or any aspect of scrutiny work in West Lancashire please contact:

Cathryn Jackson, Principal Overview and Scrutiny Officer, 52 Derby Street, Ormskirk, West Lancashire L39 2DF, Phone 01695 585016, E-mail: cathryn.jackson@westlancs.gov.uk

All overview and scrutiny reports are available to the public: on our website and by request.

We are always happy to talk to you about what is happening in overview and scrutiny. If you have any comments or topics for future scrutiny work, then please do get in touch. You can also visit our website at www.westlancs.gov.uk

Please bear in mind that overview and scrutiny is not a complaints system.

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

OVERVIEW AND SCRUTINY 2017/18

In 2017/18 overview and scrutiny will operate through two Committees:

Overview and Scrutiny Chairmen

Corporate and Environmental Overview and Scrutiny Committee – Councillor Nikki Hennessy

01695 423872 – cllr.hennessy@westlancs.gov.uk

Executive Overview and Scrutiny Committee – Councillor John Bullock

07764929131 – cllr.bullock@westlancs.gov.uk

Member Development Commission – Councillor Bob Pendleton

01695 728198 – cllr.Bpendleton@westlancs.gov.uk

Public Involvement at Meetings Working Group – Councillor Bob Pendleton

01695 728198 – cllr.Bpendleton@westlancs.gov.uk

Overview and Scrutiny Lead Officers

Corporate and Environmental Overview and Scrutiny Committee – David Tilleray, Director Leisure and Wellbeing

01695 585202 – david.tilleray@westlancs.gov.uk

Executive Overview and Scrutiny Committee – Jacqui Sinnott-Lacey, Director Housing and Inclusion

01695 585200 – Jacqui.Sinnott-Lacey@westlancs.gov.uk

Member Development Commission – Cathryn Jackson, Principal Overview & Scrutiny Officer / Julia Brown, Member Services/Civic Support Officer

01695 585016 – cathryn.jackson@westlancs.gov.uk

01695 585065 – julia.brown@westlancs.gov.uk

Public Involvement at Meetings Working Group – Terry Broderick, Borough Solicitor / Jacky Denning, Assistant Member Services Manager

01695 585001 – terry.broderick@westlancs.gov.uk

01695 585384 – jacky.denning@westlancs.gov.uk

Overview and Scrutiny Function and Support Officers

Lead Officer – Terry Broderick, Borough Solicitor

01695 585001 – terry.broderick@westlancs.gov.uk

Overview and Development – Jacky Denning, Assistant Member Services Manager

01695 585384 – jacky.denning@westlancs.gov.uk

Overview and Scrutiny Committees / Development and Support – Cathryn Jackson, Principal Overview & Scrutiny Officer

01695 585016 – cathryn.jackson@westlancs.gov.uk

Member Development Commission Support - Julia Brown, Member Services/Civic Support Officer 01695 585065 – Julia.brown@westlancs.gov.uk

Public Involvement at Meetings Working Group Support – Julia Brown, Member Services/Civic Support Officer 01695 585065 – Julia.Brown@westlancs.gov.uk

E-mail any of the team at member.services@westlancs.gov.uk

'CALLED IN' ITEM

During 2016/17 the following 'call in' request was considered:

DATE OF O&S MEETING	ITEM	DECISION OF EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE	ACTION
29 September 2016 Page 395	Community Infrastructure Levy (CIL) Funding Programme	It was determined that the Committee did not wish to ask for a different decision to the one agreed by Cabinet on 13 September 2016.	<p>As a consequence of the discussion on this item, in consultation with the Portfolio Holder for Planning the Deputy Director of Development and Regeneration subsequently submitted a report to the meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 1 December 2016 that outlined the feedback from the public consultation that had taken place in October 2016 and provided an explanation on the methodology and the process in respect of the CIL funding.</p> <p>The item was subsequently referred to the Corporate and Environmental Overview and Scrutiny Committee with a request that a further explanation of the methodology used in relation to the spending recommendations of "strategic" CIL monies be provided. (Appendix 3 below provides detail of the Corporate and Environmental Overview and Scrutiny consideration of the item).</p>

Items referred from the Executive Overview and Scrutiny Committee as a result of pre or post-hoc scrutiny.

DATE OF O&S MEETING	ITEM	DECISION OF EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE	ACTION
29 Sept 2016	<p>Moor Street Gateway Project</p> <p>The Part 2 item was referred to the Committee prior to consideration by Cabinet to seek views in relation to the Moor Street Gateway Project and procurement options.</p>	<p>That, as a consequence of the discussion on the item, it was agreed that the recommendations to Cabinet be supported.</p>	<p>The decision (Minute 22) of the Committee was subsequently submitted with the report of the Director of Development and Regeneration to Cabinet (meeting 8 November 2016)</p>
<p>30 March 2017</p> <p>Page 396</p>	<p>Local Plan Review – Scoping and Issues & Options Consultation</p> <p>The item was referred to the Committee following consideration by Cabinet at its meeting on 22 February 2017.</p> <p>The Director of Development and Regeneration and the Strategic Planning (DDR) and Implementation Manager attended the meeting and provided clarification on issues raised, referring to detail as set down in the report.</p>	<p>That, the report (of the DD&R) be noted.</p>	<p>Minute 55 was subsequently passed to the DDR and Portfolio Holder for Planning.</p>
30 March 2017	<p>Homelessness Strategy 2017-2022 (Consultation Draft)</p> <p>The item was referred to the Committee following consideration by Cabinet at its meeting 14 March 2017.</p> <p>The Homelessness and Private Sector Housing Manager (PSHM) attended the meeting provided an overview and clarification on issues raised, referring to details as set down in the report of the Director of Leisure and Wellbeing (DL&W).</p> <p>Members were informed that Cabinet had approved the Draft Strategy for public consultation.</p>	<p>That, the report (of the DL&W) be noted and thanks be extended to everyone involved in bringing the Strategy forward.</p>	<p>Minute 59 was subsequently passed to the DL&W and PSHM.</p>

Other Items considered by the Corporate and Environmental Overview and Scrutiny Committee:

DATE OF O&S MEETING	ITEM	DECISION OF CORPORATE AND ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE	ACTION
<p>1 Dec 2016</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 397</p>	<p>Draft Green Infrastructure and Cycling Strategy</p> <p>Following a previous review on ‘Cycling in West Lancashire,’ conducted by the Committee, this item was included on the agenda, and sought comments, prior to consideration by Cabinet, at its meeting on 10 January 2017.</p> <p>The Strategic Planning and Implementation Manager attended the meeting, provided an overview of the proposals in relation to the adoption of the Strategy, its content and aspirations, referring to details set down in the report (and appendices) of the Director of Development and Regeneration.</p>	<p>As a consequence of discussion on this item, it was agreed that the comments to Cabinet be:</p> <ul style="list-style-type: none"> (1) “That the recommendation to Cabinet, be supported. (2) That Cabinet recognises the importance of the contribution that the Green Infrastructure Strategy will make towards addressing impacts of climate change within West Lancashire. (3) That the benefits linked to health and wellbeing (a Council priority) be noted.” 	<p>The decision (Minute 46) of the Committee was subsequently considered with the report to Cabinet at its meeting on 10 January 2017.</p>
<p>1 Dec 2016</p>	<p>Community Infrastructure Levy (CIL) Funding Programme 2017/18</p> <p>The item was referred to the Committee at the request of the Portfolio Holder, as a consequence of post-hoc scrutiny by the Executive Overview and Scrutiny Committee at its meeting on 29 September 2016, following a call-in request. A further explanation of the methodology used in relation to the spending recommendations of “strategic” CIL monies had also been requested.</p>	<p>As a consequence of discussion on this item, it was agreed that the comments be:</p> <ul style="list-style-type: none"> (1) “That the Committee supports the projects recommended as set down at paragraph 6.1, 6.2 and 6.3 and that these be referred to 	<p>The decision (Minute 44) of the Committee was subsequently considered by Cabinet at its meeting on 10 January 2018.</p>

	<p>The Strategic Planning and Implementation Manager attended the meeting and provided an overview of the options, the methodology used, answered questions and provided clarification on the issues raised, referring to detail as set down in the report (and appendices) of the Director of Development and Regeneration</p>	<p>Cabinet for consideration. (2) That elected Members have a greater involvement in the initial assessment and short-listing process of the projects.”</p>	
<p>2 March 2017</p> <p>Page 398</p>	<p>Improved Planting This one-off topic, raised by a member of the public, was included as part of the Committee’s Work Programme in 2016/17. The members of the public were invited along to the meeting to hear the debate and make representations under the Public Speaking at meetings procedure.</p> <p>The Committee heard from the Deputy Director of Street Scene (DDSS) who in his presentation provided information in relation to the maintenance of shrub beds on Council owned land.</p>	<p>As a consequence of discussion on this item, it was agreed that the comments, to the DDSS, be</p> <p>“That the presentation and closer collaboration between the Borough Council and Lancashire County Council in relation to the maintenance and plant management of Council land, be noted.”</p>	<p>The decision (Minute 57) of the Committee was subsequently passed to the DDSS.</p>



COUNCIL: 18 October 2017

CABINET: 7 November 2017

Report of: Director of Leisure and Wellbeing

Relevant Portfolio Holder: Councillor Kevin Wright

Contact for further information: Mrs Laura Lea (Extn. 5196)
(E-mail: laura.lea@westlancs.gov.uk)

SUBJECT: HOUSING AND PLANNING ACT 2016: CIVIL PENALTIES & RENT REPAYMENT ORDERS

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To inform Council of new powers provided to Local Authorities under the Housing and Planning Act 2016 (the Act), specifically, civil penalties and rent repayment orders (RROs).

2.0 RECOMMENDATIONS

2.1 That Council approves an amendment to the constitution at 4.2D part viii, Private Sector Housing, paragraph 18; as outlined at Appendix 1; and authorises the Director of Leisure and Wellbeing and officers designated by him to implement the new powers.

2.2 That Council agrees that landlords, on receipt of a Notice of Intent to issue either a civil penalty or a RRO, can make written representations to the Director of Leisure and Wellbeing, who in accordance with the Rent Repayment Orders Policy (Appendix 3) will determine whether to impose a civil penalty, and if so, the amount of the penalty, or apply for a RRO.

2.3 That Council agrees to the Housing Civil Penalties Policy as outlined at Appendix 2.

2.4 That Council agrees to the Rent Repayment Order Policy as outlined at Appendix 3.

2.5 That Council refers the report to Cabinet for consideration of an update to the current Private Sector Housing Enforcement Policy, originally approved by

Cabinet, to include appropriate coverage of the civil penalties and rent repayment orders as outlined at Appendix 2 and 3.

3.0 BACKGROUND

3.1 The Housing and Planning Act 2016 introduced a range of measures to crack down on rogue landlords. The following measures were brought into force on the 6 April 2017:

- Civil penalties of up to £30,000 as an alternative to prosecution for certain specified offences
- Extension of rent repayment orders to cover illegal eviction, breach of a banning order and certain other specified offences.

3.2 The Government intends to bring further measures into force in October 2017 including a database of rogue landlords and banning orders for the most serious and prolific offenders. We await guidance on these measures.

3.3 The introduction of this new legislation and associated powers, means that the current Private Sector Housing Enforcement Policy requires updating. The current policy was agreed by Cabinet therefore, following consideration of this report, a report will be taken to Cabinet to request that that body consider updating the Policy to take account of the amendments as outlined in Appendix 2 and 3 as agreed (or otherwise) by Council.

4.0 CIVIL PENALTIES

4.1 Under s.126 of the Act, a local housing authority has the power to impose a civil penalty on an individual or organisation as an alternative to prosecution for the following housing offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (s.30)
- Offences in relation to licensing of Houses in Multiple Occupation (s.72)
- Offences in relation to licensing of houses under Part 3 of the 2004 Act (s.95) (selective licensing schemes only)
- Offences of contravention of an overcrowding notice (s.139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (s.234)

4.2 As the enforcing authority, the Council must serve a Notice of Intent to impose a financial penalty. A person served such a notice has 28 days to make written representations to the Council. If after the expiry of the period for representations, the Council decides to impose a financial penalty, it must give the person a Final Notice requiring that the penalty is paid within 28 days. A person served with a Final Notice may appeal to the First-tier Tribunal. If an appeal is lodged, the Final Notice is suspended until the appeal is determined or withdrawn.

4.3 The maximum penalty is £30,000, no minimum level has been set. The amount of penalty is to be determined by the local housing authority in each case. Where both a landlord and letting/managing agent have committed the same offence, a civil penalty can be imposed on both as an alternative to prosecution.

4.4 In setting the penalty at an appropriate level, the following factors should be taken into account:

- Severity of the offence
- Culpability and track record of the offender
- The harm caused to the tenant
- Punishment of the offender
- Deter the offender from repeating the offence
- Deter others from committing similar offences
- Remove any financial benefit the offender may have obtained as a result of committing the offence

The Council has also examined the charging policies of other local authorities.

4.5 Whilst taking into account the factors mentioned above the Housing Civil Penalties Charging Policy (the Policy) contains a table of proposed fines for the various offences. The fines are subject to the discretion of the Director of Leisure and Wellbeing following consideration of the information provided at Stage 3 of the Policy and prior to the Final Notice being served.

4.6 The penalty will be enforceable on the order of the County Court and where proceedings are necessary for recovery of the penalty, a certificate signed by the Council's Chief Finance Officer stating that the amount due has not been received by a specified date will be taken as conclusive evidence that the penalty has not been paid.

4.7 If a person receives a civil penalty, that fact can be taken into account in considering whether he/she is a fit and proper person to be the licence holder for a House in Multiple Occupation (HMO) or any other property subject to licensing.

5.0 RENT REPAYMENT ORDERS

5.1 The Housing Act 2004 introduced rent repayment orders to cover situations where the landlord of a property had failed to obtain a licence for a property that was required to be licensed. RROs are a means by which a tenant or local authority can seek to have up to 12 months of rent repaid in addition to other enforcement action. The Housing and Planning Act 2016 has extended the range of situations in which rent repayment orders can be used.

5.2 Rent repayment orders are being extended to cover the following situations:

- Failure to comply with an Improvement Notice (s.30 (1) Housing Act 2004)
- Failure to comply with a Prohibition Order (s.32 (1) Housing Act 2004)
- Using violence to secure entry to a property (s.6 (1) Criminal Law Act 1977)
- Illegal eviction or harassment of the occupiers of a property (s.1(2), 3, or 3A Protection from Eviction Act 1977)
- Offences in relation to licensing of Houses in Multiple Occupation (s.72 (1) (failure to licence))
- Offences in relation to licensing of houses under Part 3 of the Act (s.95 (1) (selective licensing))

- 5.3 A rent repayment order can be applied for when the landlord has committed an offence, irrespective of whether he/she has been convicted of the offence. However, where an application for a rent repayment order is made and the landlord has not been convicted of the relevant offence, the First-tier Tribunal will need to be satisfied beyond reasonable doubt that the landlord has committed the offence. Where the landlord has been convicted of a relevant offence, the Tribunal must award the order and must require that the maximum amount of rent is repaid.
- 5.4 Applications for a rent repayment order must be made to the First-tier Tribunal. The local housing authority can apply where the rent paid to the landlord was via housing benefit or universal credit. The tenant can apply where they have paid the rent directly. The maximum amount of rent that can be recovered is capped at 12 months. If there are multiple tenants in the property, each must apply for a RRO to recover the rent they have paid.
- 5.5 Any recovered funds can be retained by the authority provided it is used to further the statutory functions in relation to enforcement activities covering the private rented sector.
- 5.6 Where the landlord has committed one of the following offences:
- Failure to comply with an Improvement Notice
 - Offences in relation to licensing of Houses in Multiple Occupation (s.72 (1) (failure to licence)
 - Offences in relation to licensing of houses under Part 3 of the Act (s.95 (1) (selective licensing)
- The local authority can impose a civil penalty and apply for a rent repayment order as both sanctions are available for these offences. The local authority can also prosecute a landlord and seek a rent repayment order for the same offence.
- 5.7 Before applying for an order, the local housing authority must give the landlord a notice of intended proceedings, served within 12 months of the date on which the landlord commits the offence to which it relates. The notice must explain why the authority proposes to apply for the order, state the amount that authority is seeking to recover and invite the landlord to make representations within a period specified (at least 28 days).
- 5.8 The local authority must consider any representations made within the notice period and must not apply to the First-tier Tribunal until the period in the notice has expired
- 5.9 Generally, each party bears its own costs however the Tribunal may award costs where a person has acted unreasonably in bringing, defending or conducting proceedings.
- 5.10 A landlord may appeal against a decision of the First-tier Tribunal to the Upper Tribunal provided permission has been given.

5.11 Where a landlord refuses to pay, the case can be referred to the County Court. If necessary, County Court bailiffs can be used to enforce the order and recover the debt.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

6.1 The actions contained in the strategy will help to improve the quality and management of housing in the private rented sector. The strategy also links to the sustainable living key objective of the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 The authority will incur costs in implementing these regulations in relation to the First-tier Tribunal fees. It is anticipated that the cost will be met by the income generated from both the civil penalties and rent repayment orders (where the Council recovers housing benefit payments).

7.2 Any income received from a civil penalty or rent repayment order can be retained by the Council provided it is used to further the Council's functions in relation to private sector housing enforcement activities.

8.0 RISK ASSESSMENT

8.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

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

There is a direct impact on members of the public, employees, elected members and / or stakeholders; therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report

Appendices

1. Amendments to the Constitution
2. Housing Civil Penalties Charging Policy
3. Rent Repayment Orders Policy
4. Equality Impact Assessment

Appendix 1

Amendment to 4.2D part (viii) of the Constitution

Paragraph 18 to be amended as follows (changes to be made are in bold):

To administer relevant provisions, give authorisations, directions, serve notices, enforce, carry out works in default, raise and recover charges, set and impose penalty charge notices, review and determine penalty charges where representations are made, **authorise applications for rent repayment orders, determine representations made against the notice of intent to serve a rent repayment order**, review, determine and impose civil penalties, issue formal cautions and to lay information and complaints to the Court in relation of offences in appropriate cases under the following elements and any Act or Acts extending or amending the same or incorporating them and under any order of regulations made upon the said Act or Acts:

- Public Health Act (s) 1936 and 1961
- Prevention of Damage by Pests Act 1949
- Caravan Sites and Control of Development Act 1960
- Caravan Sites Act 1968
- Local Government Act 1972
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982
- Building Act 1984
- Housing Act 1985
- Housing Act 2004 (with effect from the appropriate enactment dates for each section of the Act)
- Local Government and Housing Act 1989
- Environmental Protection Act 1990
- Housing Grants, Construction and Regeneration Act 1996
- Protection from Eviction Act 1977
- Home Energy Conservation Act 1995
- Local Government Act 2000
- Regulations Reform (Housing Assistance) (England and Wales) Order 2002
- Town and Country Planning Act 1990 (Sections 215, 216 and 219)
- Enterprise and Regulatory Reform Act 2013
- The Energy Act 2013 -The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (only)
- **Housing and Planning Act 2016**

Appendix 2

Housing Civil Penalties Charging Policy

1.0 Introduction

1.1 Section 126 and Schedule 9 of the Housing and Planning Act 2016 provides local authorities with the power to impose a civil penalty as an alternative to prosecution in respect of the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (s.30)
- Offences in relation to licensing of Houses in Multiple Occupation (part 2 s.72)
- Offences in relation to licensing of houses under Part 3 of the 2004 Act (part 3 s.95, selective licensing schemes)
- Offences of contravention of an overcrowding notice (s.139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (s.234)

1.2 The Council has the power to impose a civil penalty of up to £30,000 with a level of civil penalty imposed in each case in line with this policy.

1.3 A civil penalty can be issued as an alternative to prosecution for each separate breach of HMO regulations. Each failure to comply with the regulations constitutes a separate offence for which a civil penalty can be imposed.

1.4 Where both the letting agent and landlord can be prosecuted for failing to obtain a licence for a licensable property, then a civil penalty can also be imposed on both the landlord and agent as an alternative to prosecution.

1.5 Both the letting agent and landlord can also be issued a civil penalty if they have committed the same offence.

1.6 Only offences committed on or after the 6 April 2017 are covered by this policy.

1.7 This guidance outlines the Council's policy in setting the level of civil penalty in each case where it has been determined to issue a civil penalty as an alternative to prosecution proceedings.

2.0 Statutory Guidance

2.1 The Government has issued statutory guidance and local authorities must have regard to this guidance in the exercise of their functions in respect of civil penalties.

2.2 The actual amount levied in any particular case should reflect the:

- a) **Severity of the offence** – the more serious the offence the higher the penalty
- b) **Culpability and track record of the offender** – repeat offenders, those with a history of non-compliance and those who ought to have known their legal responsibilities should face higher penalties
- c) **Harm caused to the tenant** – the greater the harm or potential harm to the tenant the higher the penalty should be
- d) **Punishment of the offender** – a civil penalty should not be regarded as an easy or lesser option compared to prosecution
- e) **Deter the offender from repeating the offence** – the level of penalty should be set at a high enough level that it is likely to deter the offender from repeating the offence
- f) **Deter others from committing similar offences** – the issuing of a civil penalty will not be in the public domain, however, it is possible that other landlords will become aware informally when someone has received a civil penalty therefore the level of penalty should be high enough to deter others
- g) **Remove any financial benefit the offender may have obtained as a result of committing the offence** – the principle here is to ensure that the offender does not benefit as a result of committing an offence i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed

3.0 Schedule of Financial Penalty Codes for relevant housing offences under the Housing Act 2004

3.1 The tables below outline the level of penalty to be issued based on the nature of the offence and any aggravating factors.

3.2 Second and subsequent offences do not need to be for the same address. Where the landlord or agent has committed any of the offences below, Officers must take into account whether the same landlord or agent has committed the same offence previously and apply the correct penalty.

Offence	Civil Penalty	
Failure to comply with an improvement notice (S.30 Housing Act 2004)	1 st Offence	£5,000
	2 nd Offence	£10,000
	Subsequent offences by same person/company	£30,000
Failure to comply with an overcrowding notice (s.139 (7) Housing Act 2004) Note- this applies to HMOs which DO NOT require to be licensed under mandatory licensing (Part 2)	1 st Offence	£5,000
	2 nd Offence	£10,000
	Subsequent offences by same person/company	£20,000
HMO licensing offences (s.72 Housing Act 2004) Applies to the person having control of or managing a HMO which is required to be licensed		
Failure to obtain a HMO licence	1 st Offence	£10,000
	2 nd Offence	£20,000
	Subsequent offences by same person/company	£30,000
Permitting another person to occupy the property knowing this will result in the property being occupied by more persons than is authorised by the licence	1 st Offence	£5,000
	2 nd Offence	£10,000
	Subsequent offences by same person/company	£20,000
Failure to comply with mandatory license conditions 1 to 4 (failure of license holder)		

To produce to the Local Authority their annual gas safety certificate	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To display a copy of the gas safe certificate in a prominent position in the HMO OR provide a copy to each tenant	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
To keep electrical appliance and furniture provided in a safe condition	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To supply to the Local Authority a declaration as to the safety of all appliances and furniture	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To ensure a smoke alarm is installed on each storey of the living accommodation and is kept in proper working order	1 st Offence	£1,000
	2 nd and subsequent offences by same person/company	£5,000
To supply to the Local Authority a declaration as the condition and position of the smoke alarms	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To ensure a carbon monoxide alarm is installed in any room used as living accommodation which contains a solid fuel appliance and is kept in property working order	1 st Offence	£1,000
	2 nd and subsequent offences by same person/company	£5,000
To provide each tenant a copy of the tenancy agreement which includes the terms and conditions	1 st Offence	£250
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000

<p>Additional licence conditions 1-5 (failure of licence holder)</p> <p>Schedule 3 Regulation 8: prescribed standards for deciding the suitability of occupation of any HMO by a particular number of households or persons under s.65 Housing Act 2004</p>		
<p>To keep the Local Authority informed of changes to their postal address, change in managing agent</p>	1 st Offence	£250
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
<p>If the license holder is a managing agent; to inform the Local authority if they change their main contact, or no longer manage the HMO</p>	1 st Offence	£250
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
<p>To inform the Local Authority in writing if they or any person or company appointed to manage the property commits a relevant offence or unlawful discrimination or breached any provisions of housing or landlord and tenant law</p>	1 st Offence	£250
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
<p>Additional License Conditions 6 (failure of licence holder)</p>		
<p>The licence holder must provide every tenant of the licensed property with the following within 28 days of receipt of their license:</p> <ul style="list-style-type: none"> • Name of the licence holder or managing agent • A contact address, daytime telephone number • An emergency contact telephone number 	1 st Offence	£250
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000

Additional License Conditions 7 and 8 (failure of licence holder and/or manager)		
To take reasonable steps to prevent antisocial behaviour and cooperate with the Council over any action being taken to resolve the issues	1 st Offence	£1,000
	2 nd Offence	£1,500
	Subsequent offences by same person/company	£2,500
To have procedures to receive and respond to formal complaints about tenant behaviour	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£2,000
Additional License Conditions 9 and 12 (failure of licence holder and/or manager)		
To allow access to Officers of the Council at all reasonable time to enable them to perform their functions	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£2,000
Co-operate with the Council when investigating complaints about breach of License Conditions	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£2,000
Attend training as directed by the Council if they deem this necessary for the performance of your duties	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£2,000

Additional License Conditions 13 and 15 (duty of licence holder and / or manager)		
To provide arrangements for disposal of refuse and ensure that there are adequate facilities for the storage of household refuse between collections	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
To outline to the tenants, their responsibilities in respect of refuse storage and disposal, including any recycling arrangements, which the Council may be operating	1 st Offence	£200
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
To provide any necessary information regarding their tenants, including names, dates of birth, to assist the Council in the performance of its functions and duties	1 st Offence	£200
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
Additional License Conditions 16 and 17 (duty of licence holder)		
To ensure bedrooms are of an adequate size for the number of occupants. No persons over the age of twelve years and of opposite sexes shall be allowed to sleep in the same room unless they are cohabittees	1 st Offence	£5,000
	2 nd Offence	£10,000
	Subsequent offences by same person/company	£20,000
To ensure bedrooms are private and should not be used by other residents and visitors to access other bedrooms, common living areas, bathrooms or kitchens	1 st Offence	£5,000
	2 nd Offence	£10,000
	Subsequent offences by same person/company	£20,000

Additional License Conditions 18 and 20 (duty of licence holder)		
To provide sufficient bathroom and toilet facilities for the number of occupants and keep these in good condition, providing adequate ventilation, electric lighting and heating	1 st Offence	£2,000
	2 nd Offence	£3,000
	Subsequent offences by same person/company	£5,000
To provide sufficient kitchen facilities for the number of occupants, with adequate space for the storage and preparation of food and keep these in good condition	1 st Offence	£2,000
	2 nd Offence	£3,000
	Subsequent offences by same person/company	£5,000
Additional License Conditions 22 and 23 (duty of licence holder and / or manager)		
To provide suitable and sufficient heating, which is safely and properly installed and maintained and is controllable by the tenants	1 st Offence	£2,000
	2 nd Offence	£3,000
	Subsequent offences by same person/company	£5,000
To ensure all amenities, facilities and equipment provided for occupants are adequately maintained and remain available for use at all times	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Additional License Conditions 24 to 29 (duty of licence holder and / or manager)		
To provide the main entrance doors and bedrooms (if required) with locks which are sufficiently secure and can be easily opened without the use of a key in the case of fire e.g. thumb turn locks	1 st Offence	£1,000
	2 nd Offence	£1,500
	Subsequent offences by same person/company	£2,500

To provide a suitable and sufficient fire alarm system for the property as directed by the Local Authority	1 st Offence	£2,000
	2 nd Offence	£3,000
	Subsequent offences by same person/company	£4,000
To test and maintain the fire alarm system in accordance with the relevant section of BS 5839 and the manufacturer's instructions and keep a record of any weekly or monthly tests and servicing records which must be made available for inspection on the request of the Council.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To provide a system of emergency lighting for the property as directed by the Local authority.	1 st Offence	£2,000
	2 nd Offence	£3,000
	Subsequent offences by same person/company	£4,000
To carryout routine monitoring and servicing of the emergency lighting, and keep a record of this, which must be made available for inspection on the request of the Council	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To provide fire escape exit routes with directional signing for means of escape purposes, as directed by the council.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To upgrade the fire separation for the dwelling to provide a fire protected escape route (including upgrading doors, walls, floors/ceilings, stair case soffit and spandrel) if deemed necessary by the Council.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Additional License Conditions 30 to 34 (duty of licence holder)		
The licence holder must supply to the authority,	1 st Offence	£200

on demand, a plan/layout of the property	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
<p>The licence holder and/or their nominated manager shall ensure that the following installations in common use or serve any part of the house in common use, are kept in a clean condition are properly maintained and kept in good working order:</p> <ul style="list-style-type: none"> • Installations for the supply of gas and electricity, for lighting and for space heating or heating water • Sanitary conveniences, baths, sinks, wash hand basins and installations for cooking and storing food 	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
<p>The licence holder and/or their nominated manager shall ensure that all parts in common use are in and are maintained in repair (including, where appropriate decorative repair), a clean condition and good order</p>	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
<p>The licence holder and/or their nominated manager shall ensure that such parts of the house in common use as comprise staircases, passageways, corridors, halls, lobbies, balconies and entrances (including entrance doors, porches and steps) are kept reasonably free from obstructions</p>	1 st Offence	£1,000
	2 nd Offence	£1,500
	Subsequent offences by same person/company	£2,000
<p>The licence holder and/or their nominated manager shall ensure that every outbuilding, yard area and forecourt, which belongs to the house and is in common use, is in and is maintained in repair, clean condition and good order and that any garden in common use belonging to the house is kept in a reasonable condition</p>	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
Additional License Conditions 35 (duty of licence holder and / or manager)		
The licence holder and/or their nominated	1 st Offence	£1,000

manager shall engage a suitably qualified electrician to carry out an electrical installation condition report for the property at least once every 5 years.	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
A copy of the electrical installation condition report must be provided to the Local Authority within 7 days of any written request.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
A copy of the inspection report shall be displayed in a suitable location within the property or given to the tenants.	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
Remedial works recommended in the electrical installation condition report must be completed in accordance with the recommended time frames and agreed with the Council.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
The licence holder and/or or their nominated manager shall respond immediately to any reports of electrical faults or damage to the electrical installation by engaging a suitably trained and competent person to investigate and carryout all necessary works.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Failure to comply with HMO Management Regulations s.234		
(Regulations apply to all HMOs except s.257 HMOs)		
SI 372 Reg 3: Duty of manager to provide information to occupiers	1 st Offence	£250
	2 nd Offence	£500
	Subsequent offences by same person/company	£1,000
SI 372 Reg 4: Duty of manager to take safety measures	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000

SI 373 Reg 5: Duty of manager to maintain water supply and drainage	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
SI 372 Reg 6: Duty of manager to supply and maintain gas and electricity:		
Failure to supply LA copy of current gas safety certificate within 7 days of a written request	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Failure to ensure that every fixed electrical installation is inspected and tested at intervals not exceeding 5 years by a person qualified to undertake the inspection and testing	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Failure to supply LA copy of the electrical installation condition report to the Local Authority within 7 days of any written request.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Failure to ensure the gas and electric supplies are not unreasonably interrupted.	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
SI 372 Reg 7: Duty of Manger to maintain common parts, fixtures, fittings and appliances Requires manager to keep all common parts in good and clean decorative repair, in safe working condition and kept clear of obstructions, the manager must particularly ensure:		
Handrails, banisters, stair coverings are kept safe	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences	£3,000

	by same person/company	
All windows and ventilation in common parts to be maintained	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
The provision of adequate light fittings	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Fixtures, fittings or appliances (used in common) are maintained	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
Outbuildings yards and forecourts (used in common) are maintained	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
Gardens belonging to the HMO are safe and tidy	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
Boundary walls, fences and railings are safe and maintained	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
All bathrooms and kitchens (in common use) are maintained in good and clean decorative repair and in safe and working condition	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000

<p>SI 372 Reg 8: Duty of manager to maintain living accommodation</p> <p>The following duties will not apply in all circumstances e.g. if an electrical appliance is outside the control of the manager or if a fixture or fitting belongs to the tenants, or if disrepair has been caused by the tenant</p>		
Failure to ensure each unit of living accommodation (including furniture supplied) is clean at the beginning of the tenancy	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
Failure to maintain the internal structure in good repair	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To maintain fixtures, fittings and appliances in good repair, and in clean and good working order	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
To maintain windows and ventilation in good repair	1 st Offence	£1,000
	2 nd Offence	£2,000
	Subsequent offences by same person/company	£3,000
<p>SI 372 Reg 9: Duty to provide waste disposal facilities</p>		
Failure to provide sufficient bins	1 st Offence	£500
	2 nd Offence	£1,000
	Subsequent offences by same person/company	£1,500
If necessary, make further arrangements for the disposal of refuse and litter	1 st Offence	£150
	2 nd Offence	£200

	Subsequent offences by same person/company	£500

4.0 Process for imposing a civil penalty and the right to make representations

Stage 1 – serve a notice of intent

The notice must set out:

- The amount of the proposed financial penalty
- The reasons for proposing to impose the penalty
- Information about the right of the landlord to make representations

The notice must be served no later than 6 months after the Council has sufficient evidence of the conduct to which the penalty relates or at any time when the conduct is continuing.

Stage 2 – right to submit written representations

The person served with the notice of intent may make written representations to the Director of Leisure and Wellbeing about the intention to impose a financial penalty. Any representations must be made within 28 days from when the notice was given.

Stage 3 – end of written representation period

Once the 28 day period for receiving written representations has expired, the Director of Leisure and Wellbeing must decide whether to impose a penalty, and if so, the amount of the penalty. If a financial penalty is to be imposed, a final notice must be served.

Stage 4 – final notice

The final notice must set out:

- The amount of the financial penalty
- The reasons for imposing the penalty
- Information about how to pay the penalty
- The period for payment of the penalty (28 days)
- Information about rights of appeal
- The consequences of failure to comply with the notice

Stage 5 – right of appeal

A person who receives a final notice may appeal to the First-tier Tribunal against:

- The decision to impose a penalty
- The amount of the penalty

If the person appeals, the final notice is suspended until the appeal is determined or withdrawn.

5.0 Withdrawing or varying a Notice of Intent or Final Notice

5.1 The Council can at any time:

- Withdraw a notice of intent or final notice; or
- Reduce the amount specified in a notice of intent or final notice

6.0 Refusal to pay

6.1 Where the person refuses or fails to pay a civil penalty, the Council should refer the case to the county court for an official Order of that court. If necessary, county court bailiff's can be used to enforce the order and recover the debt.

6.2 A certificate signed by the Chief Finance Officer stating that the amount due has not been paid by a specified date will be treated by the courts as conclusive evidence of that fact.

7.0 Works in default

7.1 The Council can still carry out works in default, s.31 and Schedule 3 of the Housing Act 2004 are not affected by the Housing and Planning Act 2016.

8.0 Rogue landlords database

8.1 The rogue landlords' database is due to be brought in during October 2017. Where a person receives two or more civil penalties over a 12-month period, the Council may include their details in the database. It is not compulsory to do so but it is encouraged to ensure all local authorities are aware of any enforcement action that has been taken.

9.0 Fit and proper person test

9.1 The issuing of a civil penalty can be taken into account when deciding whether someone is a fit and proper person to be a licence holder for a HMO.

Appendix 3

Rent Repayment Orders Policy

1.0 Introduction

- 1.1 The Housing Act 2004 introduced rent repayment orders (RROs) to cover situations where the landlord of a property had failed to obtain a licence for a property that was required to be licensed, specifically HMOs. RROs are a means by which a tenant or local authority can seek to have up to 12 months of rent repaid in addition to other enforcement action.
- 1.2 RROs have now been extended through the Housing and Planning Act 2016 to cover a much wider range of offences.
- 1.3 RROs can now be applied for to cover the following situations:
 - Failure to comply with an Improvement Notice (s.30 Housing Act 2004)
 - Failure to comply with a Prohibition Order (s.32 Housing Act 2004)
 - Breach of a banning order made under s.21 Housing and Planning Act 2016
 - Using violence to secure entry to a property under s.6 Criminal Law Act 1977
 - Illegal eviction or harassment of the occupiers of a property under s.1 Protection from Eviction Act 1977
- 1.4 Applications for an order must be made to the First-tier Tribunal.
- 1.5 Where the offence was wholly committed before 6 April 2017 or the commission of the offence started before the 6 April 2017 and ended no later than 5 April 2018, the provisions in the Housing Act 2004 continue to apply.
- 1.6 Where the offence was wholly committed on or after 6 April 2017, the provisions in the Housing and Planning Act 2016 and this guidance should be used.
- 1.7 An order can be applied for when one of the above offences has been committed, whether or not the landlord has been convicted. Where the landlord has not been convicted of the relevant offence, the First-tier Tribunal will need to be satisfied beyond reasonable doubt that the landlord has committed the offence.
- 1.8 If the Council paid the rent through either housing benefit or universal credit, any rent recovered must be repaid to the Council. If the tenant paid the rent in full (no HB or UC) any amount recovered must be paid to the tenant. If the rent was paid partly through HB/UC and by the tenant, the amount recovered must be repaid on an equivalent basis to each party. If there are multiple tenants in the property, each must apply for a RRO to recover the rent they have paid.

- 1.9 The maximum amount of rent that can be recovered is capped at 12 months.
- 1.10 Any income received from a RRO can be retained by the Council provided it is used towards private sector housing enforcement activities.

2.0 When to apply for a RRO

- 2.1 The Council will apply for a RRO in all cases where the landlord has been convicted of a relevant offence and some or all of the rent was paid through housing benefit/universal credit.
- 2.2 Where a landlord has not been convicted, the Council will take the following factors into account in deciding whether a RRO is appropriate and how much should be recovered:
- a) **Punishment of the offender** – RROs should have a real economic impact on the offender. The Council will consider the conduct of the landlord and tenant, the financial circumstances of the landlord and whether the landlord has been convicted of similar offences
 - b) **Deter the offender from repeating the offence** – the level of the penalty should be set at a high enough level to deter the offender from repeating the offence
 - c) **Dissuade others from committing similar offences** – the issue of a RRO will be in the public domain therefore robust and proportionate use of the orders is likely to help others comply with their responsibilities
 - d) **Remove any financial benefit the offender may have obtained as a result of committing the offence**

3.0 Who is named on the RRO?

- 3.1 A RRO can only be applied for in the name of the landlord of the property.

4.0 Civil Penalty and RRO

- 4.1 The Council can impose a civil penalty and apply for a RRO for the following offences:
- Failure to comply with an Improvement Notice (s.30 Housing Act 2004)
 - Offences in relation to licensing of HMOs (s.72(1) failure to licence)
 - Offences in relation to licensing of houses under Part 3 of the Housing Act 2004 (s.95(1), selective licensing)

5.0 Prosecution and RRO

- 5.1 The Council can prosecute a landlord and seek a RRO for the same offence.

6.0 Process for applying for a RRO

Stage 1 – serve a notice of intent

Before applying for a RRO, the landlord must be served with a Notice of Intent. The notice must be served within 12 months of the date on which the landlord committed the offence to which it relates.

The notice must:

- Inform the landlord the Council is proposing to apply for a RRO and the reasons why
- State the amount the Council is seeking to recover
- Invite the landlord to make representations within a period specified in the notice which must be at least 28 days

Stage 2 – right to submit written representations

The landlord may make written representations to the Director of Leisure and Wellbeing about the intention to apply for a RRO. Any representations must be made within 28 days from when the notice was given. The Council cannot apply for a RRO during this period.

Stage 3 – end of written representation period

Once the 28 day period for receiving written representations has expired, the Council can apply for the RRO.

Stage 4 – right of appeal

The landlord can appeal against the decision of the First-tier Tribunal to the Upper Tribunal provided permission to appeal has been given by either the First-tier or Upper Tribunal.

7.0 Refusal to Pay

7.1 Where the landlord fails to pay the RRO, the Council or tenant can refer the case to the County Court for an Order of that Court. County Court bailiffs can be used to enforce the Order and recover the debt.

8.0 Tenants and RROs

8.1 Tenants can apply directly for a RRO providing that:

- The offence relates to housing that was occupied by the tenant at the time of the offence; and
- The application for a RRO is made within 12 months of the date that the offence has been committed

8.2 The tenant does not have to go through the same process as the Council. The tenant only needs to submit a claim form to the First-tier Tribunal which sets out the reasons for the claim and the dates to which it relates.

8.3 There is no statutory obligation on the Council to support the tenant in making a claim, however, where the Council has evidence in support of the tenant's case, it will make this available to the tenant for the purposes of the claim.

9.0 RROs and Universal Credit

9.1 The Council will not have access to UC data, therefore, where the Council wishes to apply for an RRO and some or all of the rent has been paid via UC, the tenant will need to provide the information from their benefit statements or request the information required direct from the DWP.

9.2 The following formula should be used to calculate the amount of rent that should be repaid to the tenant and the amount to the local authority. This information should be on the tenant's benefit statement.

$$a/c*d = x (y=x-b)$$

a = rent liability

b = rent allowance


c = maximum UC award

d = net UC award

x = amount to be retained by Council

y = amount to be paid to tenant (x-b)

Appendix 4

<h1 style="color: red;">Equality Impact Assessment Form</h1> 	
Directorate: Leisure & Wellbeing	Service: Private Sector Housing
Completed by: Laura Lea	Date: 15 August 2017
Subject Title: Housing and Planning Act 2016: Civil Penalties and Rent Repayment Orders	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	<i>*delete as appropriate</i>
	Yes
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No
Details of the matter under consideration:	<p>The introduction of civil penalties as an alternative to prosecuting for certain housing offences.</p> <p>The extension of the circumstances where a rent repayment order can be applied for.</p>
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>
	Yes/No*
<p>If Yes, provide details of how this impacts on service users, staff or Councillors (stakeholders):</p> <p><i>If you answered Yes go to Section 3</i></p>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three	

groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Private sector landlords and lettings agents in West Lancashire.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	Yes
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Tenants in the private rented sector, specifically those occupying houses in multiple occupation (HMOs) use the service to complain about property and management standards
What will the impact of the work being carried out be on usage/the stakeholders?	Improve the condition and management of HMOs
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	N/A
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	N/A
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Young people, predominantly students occupy HMO accommodation. The ability to impose a financial penalty on a landlord and or recover rent payments will help drive up standards in this type of accommodation.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be	Landlords may choose to exit the market,

<p>taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).</p>	<p>reducing the available number of HMOs</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p>None. There is significant new developments of purpose built HMOs that are of a high standard to compensate for any landlords exiting the market.</p> <p><i>If no actions are planned state no actions</i></p>
<p>7. MONITORING AND REVIEWING</p>	
<p>When will this assessment be reviewed and who will review it?</p>	<p>Laura Lea – October 2018</p>

AGENDA ITEM:

COUNCIL: 18th October 2017



Report of: Director of Housing and Inclusion and Borough Treasurer

Contact: Marc Taylor (Extn. 5092)
(E-mail: Marc.Taylor@westlancs.gov.uk)

SUBJECT: DISCRETIONARY BUSINESS RATE RELIEFS

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To provide an update on discretionary rate relief for local businesses using funding provided by Government as announced in the Spring Budget.

2.0 RECOMMENDATIONS

2.1 That the discretionary relief schemes that have already been implemented this year under delegated authority be noted and endorsed.

2.2 That the further local scheme of relief set out in the Appendix be approved, and that delegated authority be provided to the Director of Housing and Inclusion in consultation with the Leader to finalise and implement the scheme.

3.0 BACKGROUND

3.1 The Government is providing funding to local authorities to enable them to offer business rate discounts to local businesses. This report provides details on these schemes, including their estimated value and the number of businesses that will benefit.

4.0 NEW DISCRETIONARY RELIEF SCHEMES

- 4.1 On the 1st April 2017 new rateable values for all business premises in England and Wales came into force as a result of the 2017 Revaluation undertaken by the Valuation Office Agency. In the Spring 2017 Budget, the Chancellor announced that a new scheme of support would be made available to those ratepayers facing large increases in their business rates as a result of the loss of small business or rural rate relief due to the revaluation. This is known as the “Supporting Small Businesses Relief Scheme”. This scheme will help those ratepayers affected by ensuring that the annual increase in their bills is limited to £50 per month. The relief will continue for up to 5 years.
- 4.2 It is estimated that there are 13 businesses in West Lancashire that are eligible for assistance under this scheme of support, and the total value of this support would be £15,097. These businesses have been contacted to inform them that they will receive this discount, and have been re-billed accordingly.
- 4.3 In addition to the above scheme, the government also announced a new relief scheme for pubs that have a rateable value of below £100,000. Under the scheme, eligible pubs will receive a discount of up to £1,000 on their bill. The relief will have effect for 2017/18 only.
- 4.4 It is estimated that there are 62 pubs in West Lancashire that may be eligible for assistance under this scheme of support. These businesses have been contacted and asked to confirm relevant details including that there are no State Aid implications arising from the award of relief (a potential issue with national pub chains). As soon as these details are confirmed the businesses will be provided with the discount.
- 4.5 Both of these schemes have been implemented under delegated authority as they comply with the Council's long standing aim of supporting local businesses and because their details are largely prescribed by the Government.
- 4.6 The Government is also providing £300m of support over the four year period from 2017-18 to help support those businesses that face increases in their business rates bills as a result of the 2017 Revaluation. This will require the Council to design and establish a new local scheme of discretionary rate relief, and this is explored further in the next section of the report.

5.0 PROPOSED NEW SCHEME OF DISCRETIONARY RATE RELIEF

- 5.1 The Government has calculated West Lancashire's share of the £300m national pot as £288,889 which will be allocated over 4 years as follows:
- 2017/18 £168,518
 - 2018/19 £81,852
 - 2019/20 £33,704
 - 2020/21 £4,815

- 5.2 These figures have been derived taking into account the total increase in bills (excluding transitional and other reliefs), for every property in England where the rateable value for 2017/18 is less than £200,000 and the increase in the 2017/18 bill is more than 12.5%. The sums shown above represent the maximum that will be available in each year. Any funding not used will be reclaimed by the Government and there is no flexibility to carry funding over between years.
- 5.3 The Government expects that billing authorities will implement a local scheme of relief using their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will then provide grant funding to compensate for lost business rates income up to the maximum level.
- 5.4 In designing the local scheme of relief, consideration will be given to any other reliefs that the ratepayer is entitled to, because this discretionary relief will be the last type of discount applied to an account. As the relief is awarded as a local discount, awards will be subject to State Aid considerations. The maximum threshold for State Aid is €200,000 over 3 years. A consequence of this limit is that it ordinarily excludes national business chains from accessing relief.
- 5.5 A draft scheme is provided at Appendix 1 for consideration. It is designed so as to fully allocate the funding awarded to the Council and be relatively simple to administer. The scheme sets out the criteria and exclusions that will apply in determining the eligibility of businesses for the scheme.
- 5.6 The Council must consult with the major precepting authorities on our local scheme i.e. the County Council and Fire Authority. A copy of the draft scheme has been submitted to them and any feedback will be provided at the meeting.
- 5.7 There are several variants that could be devised when implementing a local discretionary scheme. The proposed scheme seeks to grant relief to a wide range of small businesses and will compensate them for the majority of the increase in rates they have experienced as a result of revaluation. It is estimated that there are around 60 businesses that will benefit from the scheme.
- 5.8 There may be a potential need to refine the scheme to ensure the value of relief is maximised but remains within the funding available. Consequently it is proposed that a delegated authority be given to the Director of Housing and Inclusion in consultation with the Leader to finalise and implement the scheme.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The costs to the Council associated with these discounts schemes should be fully reimbursed by government grant.

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 risks appear limited if, as expected, the Government reimburses the Council in full for implementing these reliefs. However, there are risks around compliance and eligibility checks including State Aid considerations and these will need to be addressed in the determination of awards. It is also important to build in sufficient flexibility into the proposed new local scheme to ensure awards of relief can be contained within the government funding allocation.
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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

An equality impact assessment has not been undertaken on the proposed changes given that they will apply to all qualifying businesses.

Appendices

Draft Local Discretionary Business Rate Relief Scheme 2017/18 – 2020/21.

APPENDIX

Draft Local Discretionary Business Rate Relief Scheme 2017/18 – 2020/21

(a) The scheme is designed to assist qualifying ratepayers who have experienced an increase in their rates liability due to the 2017 Revaluation.

(b) Relief will not be awarded where mandatory relief is granted.

(c) In assessing potential entitlement the Council will compare the rate liability as at the 31st March 2017 after any reliefs and reductions and the rate liability as at 1st April 2017 taking into account any reliefs and reductions.

(d) Relief will be applied at a maximum rate of 75% on the increase in rates payable subject to a maximum award of relief not exceeding £5,000. Awards will only be applied where the amount is £100 or greater. This percentage rate will be adjusted, if required, to ensure that the relief provided shall maximise but not exceed the level of funding provided by the Government.

(e) Relief will only be given to premises liable for occupied rates and which are trading. There is no relief for unoccupied premises or premises that are not trading.

(f) Relief will only be granted to ratepayers who were in occupation as at the 31st March 2017 and in occupation on the 1st April 2017 and for each day subsequently.

(g) Ratepayers taking up occupation after the 1st April 2017 will not be eligible as they will not have suffered an increase due to a revaluation.

(h) Relief will not be awarded on properties which were not on the rating list at 1st April 2017, relief will not apply where properties are entered into the list retrospectively.

(i) Relief may be awarded for more than one premise as long as all other criteria are met.

(j) Relief will not be awarded where:

- the ratepayer has applied for a reduction under S44a of the Local Government Finance Act 1988 (i.e. partly occupied properties); and
- the property has an increase in rateable value after the 1st April 2017 which increases the rate charge above the 1st April 2017 value.

(k) Relief will not be awarded for premises which are wholly or mainly used for Health and Education or Public Sector purposes.

(l) Relief will not be awarded on any premises with a rateable value of £200,000 or more.

(m) If, after relief has been granted, an eligible ratepayer's bill for 2017/18 is *reduced* for any reason, the amount of relief will be reduced or removed accordingly. Where a ratepayer's bill for 2016/17 is *increased* for any reason, the amount of relief will be reduced or removed accordingly.

(n) The level of relief granted in 2018/19, 2019/20 and 2020/21 will be based on the relief awarded in 2017/18, pro rata adjusted to take account of the total funding available

(o) The total value of relief granted in any year by the Council shall not exceed the level of funding it receives from the Government.

(p) Relief will not be granted where its award would not comply with European Union law on State Aid (i.e. the total value of State Aid must not exceed €200,000 under the De Minimis Regulations EC 1407/2013). More information on State Aid can be found at: <https://www.gov.uk/state-aid>

(q) Any ratepayer considered for relief under this scheme will be required to provide such information as is needed by the Council to determine their eligibility.



COUNCIL: 18 October 2017

Report of: Borough Solicitor

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

SUBJECT: APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES AND CHANGE TO THE CABINET

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To appoint the Chairman and Vice-Chairman of the Audit and Governance Committee and the Vice-Chairman of the Planning Committee and to note the change to the Cabinet Portfolio Holder for Finance.

2.0 RECOMMENDATION

- 2.1 That a Councillor, who is a Member of the Audit and Governance Committee, be appointed Chairman of the Audit and Governance Committee for the remainder of the 2017/18 Municipal Year.
- 2.2 That a Councillor, who is a Member of the Audit and Governance Committee, be appointed Vice-Chairman of the Audit and Governance Committee for the remainder of the 2017/18 Municipal Year.
- 2.3 That a Councillor, who is a Member of the Planning Committee, be appointed Vice-Chairman of the Planning Committee for the remainder of the 2017/18 Municipal Year.
- 2.4 That it be noted that Councillor Yates has been appointed as the Cabinet Portfolio Holder for Finance in place of Councillor Wynn.

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 Councillor Yates was appointed Chairman of the Audit and Governance Committee. This position has now become vacant as a result of Councillor Yates no longer being appointed to the Audit and Governance Committee, following his appointment to the Cabinet by the Leader.
- 3.3 Councillor Yates was also appointed Vice-Chairman of the Planning Committee. This position has now become vacant as a result of Councillor Yates stepping down from the position following his appointment to the Cabinet, however he still remains a member of the Committee.
- 3.4 Councillor Nicola Pryce-Roberts was appointed Vice-Chairman of the Audit and Governance Committee. This position has now become vacant as a result of Councillor Pryce-Roberts no longer being appointed to the Audit and Governance 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.

By virtue of paragraph(s) 1, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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