



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

Tuesday, 9 October 2018

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, 17 OCTOBER 2018** 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.)	309 - 310

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| 4. | MINUTES
To receive as a correct record, the minutes of the previous meeting held on Wednesday, 18 July 2018. | 311 - 326 |
| 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) | Audit & Governance Committee - Minutes of the meeting held on Tuesday, 24 July 2018 | 327 - 330 |
| b) | Planning Committee - Minutes of the meeting held on Thursday, 26 July 2018 | 331 - 336 |
| c) | Planning Committee - Minutes of the meeting held on Thursday, 6 September 2018 | 337 - 342 |
| d) | Standards Committee - Minutes of the meeting held on Tuesday, 18 September 2018 | 343 - 344 |
| 8. | SUSTAINABLE ORGANISATION REVIEW: APPOINTMENT OF CONTRACTOR
To consider the report of the Borough Solicitor. | 345 - 350 |
| 9. | MEDIUM TERM FINANCIAL FORECAST
To consider the report of the Borough Treasurer. | 351 - 368 |
| 10. | TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING 2018-19
To consider the report of the Borough Treasurer. | 369 - 374 |
| 11. | OVERVIEW & SCRUTINY ANNUAL REPORT 2017/18
To consider the report of the Borough Solicitor. | 375 - 392 |
| 12. | THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018
To consider the report of the Director of Leisure and Environment. | 393 - 406 |
| 13. | APPOINTMENT OF VICE-CHAIRMAN OF AUDIT & GOVERNANCE COMMITTEE
To consider the report of the Borough Solicitor. | 407 - 408 |
| 14. | 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 items of | |

business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that they involves the likely disclosure of exempt information as defined in Paragraph 3 (business/financial affairs) 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

15. FORMING A DEVELOPMENT COMPANY

To consider the report of the Director of Housing and Inclusion.

409 - 482

PART 3 - OPEN TO THE PUBLIC

16. MOTIONS

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

a) Non-Hydraulic Fracturing Shale Gas Exploration Applications - Motion Included on the Agenda by Councillor Mills on Behalf of the Labour Group

West Lancashire Borough Council notes:

- 1) That in May this year Ministers outlined a proposal in a Written Ministerial Statement to redefine non-hydraulic fracturing shale gas exploration applications as permitted development and to redefine large scale shale gas production sites as Nationally Significant Infrastructure Projects, thus removing any local authority control and community involvement in decision-making.
- 2) That the Government consultation on both of these proposals began on 19th July 2018 and run until 25th October 2018
- 3) That on 5 July 2018, a report by the cross-party Housing, Communities and Local Government Committee warned the Government against its proposal to bring fracking applications under the Nationally Significant Infrastructure Projects (NSIP) regime, concluding that Mineral Planning Authorities, which in Lancashire is the County Council, were best placed to understand the local area and how fracking could best take place.
- 4) That the above report said the Nationally Significant Infrastructure Projects regime was unlikely to speed up the application process for fracking.

West Lancashire Borough Council is committed to the principles of localism and the involvement of local communities in decisions that affect their environment, their health and safety and their well-being.

West Lancashire Borough Council believes:

- 1) That moving decisions about fracking, which have huge implications for local communities, to a national level would contradict the principles of localism.
- 2) That 'Permitted Development' – the category of planning that the government wants to move Shale gas exploration drilling into – which was designed for developments with low environmental impacts, is an inappropriate category for drilling with such wide-reaching implications for local communities and climate change.
- 3) That bringing fracking applications under the Nationally Significant Infrastructure Projects regime will be harmful to local communities.
- 4) That local authorities are best placed to continue to make decisions throughout the planning process for shale gas exploration drilling, appraisal and production.

That the Director of Development and Regeneration:

- 1) Continues to work on a robust response to the consultation, which includes the above views and where possible does so jointly with other local authorities who share these opinions.
- 2) Shares this response with West Lancashire MPs and relevant government ministers.

b) Local Plan Review Cabinet Working Group - Motion Included on the Agenda by Councillor Pope on Behalf of the Conservative Group

The Local Plan Cabinet Working Group considered a number of updates to the existing Local Plan 2012/27 that were then incorporated as part of the Local Plan Preferred Options document, which resulted in a completely new Local Plan being approved by Cabinet for consultation.

If the Preferred Options are eventually accepted and form the basis of a new Local Plan 2020/50 then this will mean scrapping the existing Local Plan 2013/27 despite it having 9 years to run. The Existing Local Plan is continuing to (a) meet local housing need (b) deliver the planned number of new homes and (c) provide the necessary 5 year supply of housing land. It has withstood legal challenges in respect of rogue developments and is clearly soundly based and robust.

The proposal for a new 30 year Local Plan 2020/50 is unprecedented given that it has not been possible to identify any other council that has adopted such an approach. It is impossible to accurately forecast the Borough's population growth, future housing and employment needs for more than 30 years ahead. The proposal to plan for 15,992

new homes and a huge amount of land for employment use can only be a very rough estimate given the official population forecast only project to 2041 and even the Treasury has difficulties accurately forecasting medium term economic growth.

It is also proposed to stop the established practice of safeguarding sites identified for possible future development. This would mean the Council abdicating its responsibility to manage the release of sites and allow developers, or “market”, to decide which sites should be developed first. It would also mean that all the sites needed for the next 30 years would be made available for development from 2021.

Apart from wanting a huge increase in the annual target for both house building and commercial development, the Preferred Options propose to provide land to meet the future housing and commercial development needs of Merseyside - 6,256 new homes and hundreds of acres for employment use as part of an uncertain promise of support with a possible rail link for Skelmersdale.

The proposed release of up to 1,500 acres from the Greenbelt or Safeguarded land is cause for considerable concern. The need to take such drastic action is a direct consequence of the issues detailed above.

Given the above issues and the widespread public concern, this Council resolves to urge Cabinet to reconsider the Preferred Options and instruct the Local Plan Cabinet Working Group to consider new proposals to review the existing Local Plan 2012/27 and make suitable recommendations to Cabinet to update, amend and possibly extend that Local Plan.

c) Review of the Political Management Structure - Motion Included on the Agenda by Councillor Yates on Behalf of the Labour Group

That the current Sustainable Organisational Review Process (SORP) will significantly reshape Council functions, to ensure improved service delivery, greater opportunity for officers to undertake meaningful career development, and provide a sustainable financial basis for the Council to continue delivering and improving upon its services to residents and businesses;

That this review also offers an ideal opportunity to re-evaluate the structures of political management, ensuring that any restructuring of the organisation is fully comprehensive and allows for potential innovation across all areas;

That this administration is already undertaking other significant transformational projects, in regards to the Council-controlled development of Skelmersdale Town Centre, new leisure facilities for Skelmersdale and Ormskirk, and upgrades to the Burscough facilities,

the continuing development of Ormskirk and its overall economy;

That this council believes:

That the potential for radical restructuring of Council governance exists within the SORP process, and should therefore be considered at this point in time;

That it is appropriate that the role and number of elected members be considered equally alongside those of officers within the review process;

That a concomitant review of governance and service delivery will provide the best opportunity for innovative changes across the council and the way in which its services are delivered at a local level;

That the new Target Operating Model, to be presented to Council in July 2019, will provide clear guidance as to the potential for revising the political management structure;

That this council resolves:

To commence an electoral review process, to review the Council's size, numbers of councillors and ward boundaries, following consideration of the SORP review and the agreement of the new Target Operating Model in July 2019;

To authorise officers to make initial contact with the Local Government Boundary Commission for England to establish timescales and likely issues arising from an electoral review and assess the resource provision required.

d) **Preventing the Preventable: Reducing Suicide - Motion Included on the Agenda by Councillor Cooper on Behalf of the Labour Group**

That this Council notes that sixteen people in the UK lose their life to suicide each day. Suicide is the most common cause of death for men between the ages of 20-49. Suicide is the leading cause of death amongst young people.

This Council believes all deaths by suicide are preventable.

That behind every statistic is an individual, a family and a community devastated by their loss and this Council believes that suicide is everyone's business.

That this Council further believes that to eliminate suicide in young people we must start by preventing self-harm and suicidal behaviour in young people.

This council recognises there is a direct link between social isolation, unemployment, long-term health conditions and suicide.

That this Council resolves to work as part of the Health and Wellbeing Strategy to bring organisations together to start the conversation about how we can challenge the stigma of suicide, promote suicide prevention services available locally and offer help and support to those who are bereaved by suicide.

That the Chief Executive be asked to ensure that the contact details and helplines for the Samaritans and CALM are made available on the Council's website.

e) **Free School Meals - Motion Included on the Agenda by Councillor Cooper on Behalf of the Labour Group**

That this Council notes:

- Since April 1st of this year, the Government has changed the eligibility of families entitled to a Free School Meal (FSM).
- As a result of these changes, families who earn more than £7,400 and claiming Universal Credit (UC) are no longer entitled to FSMs. That is the equivalent of 18 hours work per week paid at the minimum wage.
- Research by the Children Society shows that up to one million children could miss out on FSMs. Research by Rosie Cooper MP has found that this will mean 22,936 children across Lancashire won't get free school meals.
- The protections put in place by the policy will ensure that children who are currently receiving FSMs will still do so until 2023 or until they have finished their current phase of education.
- Any loss of free school meal provision will also mean a cut to school budgets, as schools will also lose Pupil Premium

That this Council believes:

- The Government has once again targeted the most vulnerable families in our society and in our Borough.
- Children, in order to learn and reach their full potential, need to have their basic needs met and this includes having a balanced school meal.
- This policy is an attack on low paid families that are struggling to make ends meet.
- There are already too many children going to school hungry and this decision is taking food out of children's mouths.

That this Council resolves:

- To request that the Chief Executive writes to Lancashire County Council asking them, in light of these issues, to explore providing UNIVERSAL free school meals and to ensure that schools and families are aware of these changes and to work to mitigate the impact of these changes, where possible.
- That the Leader of the Council writes to the Secretary of State for Education, the Secretary of State for Work and Pensions, to

advise them of the impact of this in West Lancashire and to ask them to review this policy.

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**.