



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

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Tuesday, 4 December 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, 12 DECEMBER 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.)

495 - 496

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| <b>4.</b>  | <b>MINUTES</b><br>To receive as a correct record, the minutes of the previous meeting held on 17 October 2018.  | 497 - 508 |
| <b>5.</b>  | <b>ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE</b>  |           |
| <b>6.</b>  | <b>TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2</b>  |           |
| <b>7.</b>  | <b>MINUTES OF COMMITTEES</b><br>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, 9 October 2018   | 509 - 512 |
| b)         | Planning Committee - Thursday, 18 October 2018  | 513 - 514 |
| c)         | Audit & Governance Committee - Tuesday, 30 October 2018   | 515 - 518 |
| d)         | Planning Committee - Thursday, 29 November 2018   | 519 - 524 |
| <b>8.</b>  | <b>BUDGET UPDATE</b><br>To consider the report of the Borough Treasurer.  | 525 - 532 |
| <b>9.</b>  | <b>HRA REVENUE AND CAPITAL MID-YEAR REVIEW</b><br>To consider the joint report of the Director of Housing and Inclusion and the Borough Treasurer.  | 533 - 544 |
| <b>10.</b> | <b>REVISED CAPITAL PROGRAMME</b><br>To consider the report of the Borough Treasurer.  | 545 - 556 |
| <b>11.</b> | <b>APPROVAL OF STATEMENT OF LICENSING POLICY AND AUTHORISATIONS REQUIRED BY THE GAMBLING ACT 2005</b><br>To consider the report of the Director of Leisure & Environment  | 557 - 600 |
| <b>12.</b> | <b>COUNCIL ENFORCEMENT POLICY</b><br>To consider the report of the Director of Leisure and Environment.   | 601 - 630 |
| <b>13.</b> | <b>HEALTH AND WELLBEING STRATEGY ANNUAL PERFORMANCE REVIEW 2018</b><br>To consider the report of the Director of Leisure and Environment.   | 631 - 652 |
| <b>14.</b> | <b>EXECUTIVE DECISIONS - SPECIAL URGENCY</b><br>To consider the report of the Borough Solicitor.  | 653 - 654 |
| <b>15.</b> | <b>EXCLUSION OF PRESS AND PUBLIC</b><br>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, 2 & 3 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**

- 16. COMMERCIAL PROPERTY INVESTMENTS - UPDATE** 655 - 666  
To consider the report of the Director of Development and Regeneration
- 17. REVIEW OF GROUNDS MAINTENANCE AND STREET CLEANSING UPDATE** 667 - 700  
To consider the report of the Director of Leisure and Environment.

## **PART 3 - OPEN TO THE PUBLIC**

- 18. MOTIONS**  
To consider the following Motion included on the agenda at the request of the Member indicated:
- a) **Fair Deal For Leaseholders - Motion Included on the Agenda by Councillor Adrian Owens on Behalf of the Our West Lancashire Group**  
There is a concern at the Government's failure to adequately regulate the sale of leasehold properties within the UK, and tackle the onerous terms of existing leases;
- at the financial burdens suffered by homeowners, due to unregulated developer practices, and the unacceptable terms of leases;
  - for residents, who find themselves unable to sell their homes, except for a considerable discount, following the public's increasing awareness of the struggles affecting leasehold homeowners.

Pledges to address the matter are welcomed however there is frustration expressed regarding the extent of the Government's plans, and its commitment to support those already affected by unfair practices, and charges.

This Council resolves that:

- A. The Government be requested to take urgent action to address:
- i) The level of and rate of increase in ground rent charges that existing leaseholders are obliged to pay to developers, or the companies to which the freehold has been sold;
  - ii) The practice of freeholders selling the freehold to third parties, without the knowledge of the existing leaseholders, and without first offering the leaseholder the option of purchasing the freehold;
  - iii) The manner in which estate maintenance charges are levied

against the leaseholders without sufficient transparency or cost-efficiency;

- iv) The unclear, and in many cases, seemingly excessive cost for the purchase of freeholds by leaseholders including excessive costs even to enter into such negotiations;
- v) The unfair systems of administration charges imposed via the lease, to the hindrance of (for example) leaseholders who wish to make alterations to the property;
- vi) The requirement of existing leaseholders to have owned the lease for a minimum period, before being eligible to purchase the freehold;
- vii) The lack of advice and adequate compensation schemes available to many leaseholders who believe they have been miss-sold, and/or their lease contains onerous conditions.

- B. The Chief Executive be requested to write to the Secretary of State for Housing, Communities and Local Government, to express its concern regarding the above issues, and request further, pressing action is taken not only to restrict the development of further leasehold homes, but to provide appropriate support and means of redress for existing leaseholders.

**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](mailto: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**.