

COUNCIL

HELD: Wednesday, 27 February 2019

Start: 7.30 pm

Finish: 11.32 pm

PRESENT:

Councillor: N Delaney (Mayor)
G Owen (Deputy Mayor)

Councillors: T Aldridge I Ashcroft
Mrs P Baybutt Mrs M Blake
T Blane J Bullock
J Cairns C Cooper
R Cooper P Cotterill
V Cummins S Currie
I Davis C Dereli
T Devine G Dowling
Mrs C Evans D Evans
S Evans N Furey
J Gordon N Hennessy
G Hodson J Hodson
K Lockie F McKenna
C Marshall Mrs J Marshall
J Mee M Mills
I Moran M Nixon
D O'Toole A Owens
J Forshaw E Pope
A Pritchard N Pryce-Roberts
E Savage Mrs D Stephenson
D West Mrs M Westley
D Whittington K Wilkie
J Witter K Wright
A Yates

Officers: Kim Webber, Chief Executive
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
John Harrison, Director of Development and Regeneration
Heidi McDougall, Director of Leisure & Environment
Marc Taylor, Borough Treasurer
Terry Broderick, Borough Solicitor
Jacky Denning, Member & Executive Services Manager
Peter Quick, Group Accountant

75 PRAYERS

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

76 APOLOGIES

Apologies for absence were received on behalf of Councillors Yvonne Gagen, Phill Hudson, James Kay and David Westley.

77 DECLARATIONS OF INTEREST

The following declarations were received:

1. All Members present declared a pecuniary interest in item 9 'Members' Allowances Scheme 2019/20 and Appointment of Independent Remuneration Panel and in relation to item 12 'Determination of Council Tax 2019/20', but were entitled to speak and vote by virtue of an exemption.
2.
 - a) Councillors Ashcroft, Mrs Blake, Blane, Dereli, Gordon, Lockie, Mrs Marshall, Mee, Moran, Owen, Pope and Whittington declared a pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Budget Requirement 2019/20' and item 13 'Medium Term Capital Programme 2019-20' in relation to Parish Council matters in view of their membership of a Parish Council and indicated they would not participate in any detailed discussions which affected the finances of those bodies specifically.*
 - b) Councillors Aldridge, Hennessy, O'Toole and Pope declared a pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Budget Requirement 2019/20' and item 13 'Medium Term Capital Programme 2019-20', as Members of Lancashire County Council (LCC) as did Councillors Cummins and Gagen as employees of LCC, and indicated that they would not participate in any detailed discussions which affected LCC.*
 - c) Councillor Hennessy declared a disclosable pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Budget Requirement 2019/20' and item 13 'Medium Term Capital Programme 2019-20' in respect of her appointment to West Lancashire Community Leisure.*
 - d) The following Councillors, appointed by the Council to the bodies listed, declared a pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Budget Requirement 2019/20' regarding the 'Grant to Voluntary Organisations'*.

<u>Councillors</u>	<u>Voluntary Body</u>
• Moran	Citizens Advice Bureau Lancashire
• G Hodson	West Lancs CVS
• Cotterill	
• Nixon	
• Pryce Roberts	
• Aldridge	Homestart Central Lancashire
• Mrs Stephenson	
 - e) Councillor Whittington declared a pecuniary interest in relation item 11 'Budget Requirement 2019/20' in respect of the 'Community Grants' as his wife is a trustee of Citizens Advice Bureau Lancashire and this body had been recommended to receive funding for 2019/20.*

- f) Councillor Mee declared a disclosable pecuniary interest in relation to item 11 'Budget Requirement 2019/20' in respect of 'Community Grants' as a member of the Dial A Ride Board and a volunteer driver and indicated he would not participate in any detailed discussions which affected his employer or employment..*

* 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.

3. Councillors Ashcroft, Mrs Blake, Blane, Dereli, Gordon, Lockie, Mrs Marshall, Mee, Moran, Owen, Pope and Whittington declared a non-pecuniary interest in relation to item 12 'Determination of Council Tax 2019/20' in view of their membership of a Parish Council.
4. Councillors Aldridge, Hennessy, O'Toole and Pope declared a non pecuniary interest in relation to item 12 'Determination of Council Tax 2019/20', item 20(b) 'Fracking Motion', item 20(c) 'Flooding Motion' and item 20(d) 'Roads Motion', as Members of Lancashire County Council, as did Councillors Cummins and Gagen as an employee of Lancashire County Council.
5. Councillors Delaney, Devine, Forshaw, Owen, Nixon and West (Tenant of a Council flat/house) Aldridge (Tenant of a Council garage) declared disclosable pecuniary interests in relation to item 13 'Medium Term Capital Programme and item 14 'Housing Account – Revenue and Capital Programme' 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, C Cooper, R Cooper, Mee and Wright declared non-pecuniary interests in relation to item 13 'Medium Term Capital Programme and item 14 'Housing Account – Revenue and Capital Programme' as they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a pecuniary interest (as it would 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.
7. Councillors Pope and Moran declared a non pecuniary interest in item 8 'Pay Policy Statement 2019/20' as members of the Lancashire County Council Pension Fund Committee.
8. Councillors Hennessy and O'Toole declared a non pecuniary interest in relation to item 12 'Determination of Council Tax 2019/20' as a Member of

Lancashire Fire & Rescue Authority and Councillor Wilkie as an employee.

9. Councillor Wright declared a non pecuniary interest in relation to agenda item 12 'Determination of Council Tax 2019/20' as a member appointed to the Police and Crime Panel.
10. Councillor Hennessy declared a non pecuniary interest in relation to item 20(c) 'Flooding Motion as a member of the Flood Risk Management and Preparedness Task and Finish group at Lancashire County Council.

78 MINUTES

RESOLVED: That the minutes of the meeting held on Wednesday 12 December 2018, be approved as a correct record and signed by the Mayor.

79 ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE

The Mayor announced the following Charity events:

- The Mayor's Charity Ball - 15 March at Lancashire Manor
- Scouts Bingo – 8 March at St. Annes
- An 80's Night – 27 April at St. Annes

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

The following question was received:

Review of the West Lancashire Local Plan - Question raised by Councillor A Owens on behalf of Our West Lancashire Group

"In relation to the current review of the West Lancashire Local Plan would the Leader:

- a) *Confirm that the preparation of the local plan continues to cover the time period up to 2050?*
- b) *Quantify the "significant reduction in housing numbers, and a reduced impact on the green belt" as announced last week?"*

Members were advised that a copy of the response to the question would be included on the Council's website.

81 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. Licensing & Gambling Committee held on Tuesday 4 December

2018

- B. Licensing & Appeals Committee held on Tuesday 4 December 2018 and 12 February 2019
- C. Planning Committee held on Thursday 10 January 2019
- D. Audit and Governance Committee held on Tuesday 29 January 2019

82 **PAY POLICY STATEMENT 2019/20**

Consideration was given to the report of the Borough Treasurer, as contained on pages 745 to 768 of the Book of Reports, which sought approval of the Pay Policy Statement for 2019/20 detailing the Authority's policy on workforce remuneration, as required by the Localism Act 2011.

RESOLVED: That the Pay Policy Statement for 2019/20 attached at Appendix 1 to the report be approved, published on the Council's website and included in the Constitution.

83 **MEMBERS' ALLOWANCES SCHEME 2019/20 AND APPOINTMENT OF THE INDEPENDENT REMUNERATION PANEL**

Consideration was given to the report of the Borough Solicitor, as contained on pages 769 to 774 of the Book of Reports, which sought approval of the Members' Allowances Scheme for 2019/20 and detailed the Membership of the Independent Remuneration Panel (IRP).

A Motion to approve the recommendations at paragraphs 2.1 to 2.4 of the report was moved and seconded.

An Amendment was moved and seconded as follows:

- "2.1 *That it be noted that the IRP has not recommended any changes to the Members Allowances Scheme for 2019/20 and consequently a report from the IRP has not been submitted for consideration.*
- 2.2 *That the Borough Solicitor update the Members Allowance Scheme, effective from 1 April 2019, incorporating a Basic Allowance of £3,924.20 (the Lancashire average) with the current multipliers used in the calculation for SRA payments remaining unchanged, such scheme to be incorporated into the Constitution and subsequently published.*
- 2.3 *That the Membership of the IRP for 2019/20 and the respective terms of office be noted and endorsed as follows:
Mrs G Stanley (Chairman) 1 May 2021
Mr J Boardman 1 May 2020
Mr I Thompson 1 May 2022"*

At the request of a Member, voting on the Amendment was recorded as follows:

FOR: Councillors Davis and Owens (TWO)

AGAINST: Councillors Aldridge, Ashcroft, Mrs Baybutt, Mrs Blake, Blane, Bullock, Cairns, C Cooper, R Cooper, Cotterill, Cummins, Currie, Delaney, Dereli, Devine, Mrs C Evans, D Evans, S Evans, Forshaw, Furey, Gordon, Hennessy, G Hodson, J Hodson, Lockie, McKenna, C Marshall, Mrs Marshall, Mee, Mills, Moran, Nixon, O'Toole, Owen, Pope, Pritchard, Pryce-Roberts, Savage, Mrs Stephenson, West, Mrs Westley, Whittington, Wilkie, Witter, Wright and Yates (FORTY SIX)

ABSTENTIONS: Councillor Dowling (ONE)

The Amendment was LOST.

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

- RESOLVED:**
- A. That it be noted that the IRP has not recommended any changes to the Members Allowances Scheme for 2019/20 and consequently a report from the IRP has not been submitted for consideration.
 - B. That it be noted that the Basic Allowance of £4,842 has been fixed for a 4 year period until 31 March 2020, the Council being able to ask the IRP to consider an increase in any year and to give specific reasons for the request.
 - C. That the Borough Solicitor update the Members Allowance Scheme, effective from 1 April 2019, incorporating a Basic Allowance of £4,842 (no increase) and provision for SRA payments (no change), such scheme to be incorporated into the Constitution and subsequently published.
 - D. That the Membership of the IRP for 2019/20 and the respective terms of office be noted and endorsed as follows:
 - Mrs G Stanley (Chairman) 1 May 2021
 - Mr J Boardman 1 May 2020
 - Mr I Thompson 1 May 2022

SUSPENSION OF COUNCIL PROCEDURE RULE 13.4

RESOLVED: That Council Procedure rule 13.4 be suspended to enable the Portfolio Holder / Shadow Portfolio Holder / Spokesperson for OWL to present their budget statements, in respect of agenda items 11 (Budget Requirement 2019/20) and 14 (Housing Account – Revenue and Capital Programme).

85 BUDGET REQUIREMENT 2019/20

Consideration was given to the report of the Borough Treasurer, as contained on pages 775 to 796 of the Book of Reports, which set out information in order for the Council to set its budget for the next financial year, including the General Revenue Account (GRA) Reserves Policy and the Draft GRA Estimates.

Councillor Yates, Portfolio Holder for Finance, moved a Motion that provided details of the Labour Budget Proposals (as circulated at the meeting and contained in the Book of Reports), which was seconded.

Councillor Whittington, Shadow Portfolio Holder for Finance, moved an Amendment (as circulated at the meeting and contained in the Book of Reports), which was seconded.

The meeting was adjourned whilst Members considered the Labour Budget Proposals and the Amendment from the Conservative Group.

In accordance with Council Procedure Rule 16.5, voting on the Amendment was recorded as follows:

FOR: Councillors Ashcroft, Mrs Baybutt, Mrs Blake, Blane, Cairns, Currie, Mrs C Evans, Gordon, C Marshall, Mrs Marshall, Mee, O'Toole, Pope, Mrs Stephenson, Mrs Westley, Whittington and Witter (SEVENTEEN)

AGAINST: Councillors Aldridge, Bullock, C Cooper, R Cooper, Cotterill, Cummins, Delaney, Dereli, Devine, Dowling, D Evans, S Evans, Forshaw, Furey, Hennessy, G Hodson, J Hodson, Lockie, McKenna, Mills, Moran, Nixon, Owen, Pritchard, Pryce-Roberts, Savage, West, Wilkie, Wright and Yates. (THIRTY)

ABSTENTIONS: Councillors Davis and Owens (TWO)

The Amendment was LOST.

In accordance with Council Procedure Rule 16.5, voting on the Motion was recorded as follows:

FOR: Councillors Aldridge, Bullock, C Cooper, R Cooper, Cotterill, Cummins, Delaney, Dereli, Devine, Dowling, D Evans, S Evans, Forshaw, Furey, Hennessy, G Hodson, J Hodson, Lockie, McKenna, Mills, Moran, Nixon, Owen, Pritchard, Pryce-Roberts, Savage, West, Wilkie, Wright and Yates. (THIRTY)

AGAINST: Councillors Ashcroft, Mrs Baybutt, Mrs Blake, Blane, Cairns, Currie, Davis, Mrs C Evans, Gordon, C Marshall, Mrs Marshall,

Mee, O'Toole, Owens, Pope, Mrs Stephenson, Mrs Westley, Whittington and Witter (NINETEEN)

ABSTENTIONS: (NONE)

The Motion was CARRIED.

RESOLVED: A. That the General Revenue Account Estimates for 2019/20 set out in Appendix B of the Council report be approved, subject to the changes set out in the Labour Budget Proposals circulated at the meeting and contained in the Book of Reports.

B. That the GRA reserves policy set out in Appendix A to the Council report be approved.

C. That delegated authority be given to the Chief Executive and Heads of Service to take all necessary action to implement the changes resulting from the budget proposals.

86 DETERMINATION OF COUNCIL TAX 2019/20

Consideration was given to the revised report of the Director of Housing and Inclusion, as circulated at the meeting and contained in the Book of Reports, which set out the proposed Council Tax rate for each property band for the whole of the Borough Council's area, including the Council Tax rate as set by the County Council, the Police and Crime Commissioner for Lancashire, the Lancashire Combined Fire Authority, and the local Parish Council in parished areas, in order to confirm the statutory resolutions that are required in order to set the Council Tax for 2019/2020.

Councillor Yates moved a Motion to approve the recommendations in the revised report, which was seconded.

In accordance with Council Procedure rule 16.5, voting on the Motion was recorded as follows:

FOR: Councillors: Aldridge, Ashcroft, Mr Baybutt, Mrs Blake, Blane, Bullock, Cairns, C Cooper, R Cooper, Cotterill, Cummins, Currie, I Davis, Delaney, Dereli, Devine, Dowling, Mrs C Evans, D Evans, S Evans, Forshaw, Furey, Gordon, Hennessy, G Hodson, J Hodson, Lockie, McKenna, C Marshall, Mrs Marshall, Mee, Mills, Moran, Nixon, O'Toole, Owen, Owens, Pope, Pritchard, Pryce-Roberts, Savage, Mrs Stephenson, West, Mrs Westley, Whittington, Wilkie, Witter, Wright and Yates (FORTY NINE)

AGAINST: (NONE)

ABSTENTIONS: (NONE)

The Motion was CARRIED.

- RESOLVED: A. That it be noted that on the 14 January 2019, the Borough Treasurer declared the Council Tax Base amounts set out in Appendix A to the revised report, for the financial year 2019/20 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
- B. That the Budget for the Council's own purposes for 2019/20 (excluding parish precepts) be set at £12,854,800 in accordance with the earlier Budget Requirement report.
- C. That the following amounts be now calculated by the Council for the financial year 2019/2020 in accordance with the Local Government Finance Act 1992 (the Act):
- a) £91,202,862 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - b) £83,420,867 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - c) £7,781,995 being the amount by which the aggregate at C(a) above exceeds the aggregate at C(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
 - d) £220.73 being the amount at C(c) above divided by 35,256.32 (the Tax Base) calculated by the Council in accordance with Section 31(B) of the Act, as the basic amount of its Council Tax for 2019/2020.
 - e) £611,212 being the aggregate amount of all special items (i.e. Parish Precepts) referred to in Section 34(1) of the Act.
 - f) £203.39 being the amount at C(d) above, less the result given by dividing the amount at C(e) above by 35,256.32 (the Tax Base), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for 2019/2020 for dwellings in those parts of its area to which no special item relates.
 - g) Part of the Council's area:

	£. p
Aughton	219.68
Bickerstaffe	234.27

Bispham	203.39
Burscough	240.22
Dalton	223.04
Downholland	242.72
Great Altcar	217.44
Halsall	224.87
Hesketh with Becconsall	244.63
Hilldale	258.14
Lathom	221.00
Lathom South	235.61
Newburgh	233.41
North Meols	238.30
Parbold	237.29
Rufford	243.48
Scarisbrick	219.00
Simonswood	223.87
Tarleton	234.82
Up Holland	225.07
Wrightington	219.30

being the amounts given by adding to the amount at C(f) above the amounts of the special item relating to dwellings in those parts of the Council's area mentioned above divided in each case by the relevant Tax Base for those areas, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of the Council Tax for 2019/2020 for dwellings in those parts of its area to which a special item (i.e. Parish Precepts) relate.

- h) Part of the Council's area for each valuation band, being the amounts given by multiplying the amounts at C(f) and C(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (See Schedule 1 circulated at the meeting).
- D. That it be noted that for the year 2019/20 Lancashire County Council has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwelling shown below:

VALUATION BANDS

A	B	C	D	E	F	G	H
£. p	£. p	£. p	£. p	£. p	£. p	£. p	£. p
897.73	1,047.35	1,196.97	1,346.59	1,645.83	1,945.07	2,244.32	2,693.18

- E. That it be noted that for the year 2019/2020 the Police and Crime Commissioner for Lancashire has stated the following amounts in precept issued to the Council in accordance with Section 40 of the Act for each of the categories of dwelling shown below:

VALUATION BANDS

A	B	C	D	E	F	G	H
£. p	£. p	£. p	£. p	£. p	£. p	£. p	£. p
134.30	156.68	179.07	201.45	246.22	290.98	335.75	402.90

- F. That it be noted that for the year 2019/2020 the Lancashire Combined Fire Authority has stated the following amounts in precept issued to the Council in accordance with Section 40 of the Act for each of the categories of dwelling shown below:

VALUATION BANDS

A	B	C	D	E	F	G	H
£. p	£. p	£. p	£. p	£. p	£. p	£. p	£. p
46.32	54.04	61.76	69.48	84.92	100.36	115.80	138.96

- G. That having calculated the aggregate in each case of the amounts at C(h), D, E and F, the Council, in accordance with Section 30(2) of the Act, hereby sets the amounts shown in Schedule 2 circulated at the meeting, as the amounts of Council Tax for the year 2019/2020 for each of the categories of dwellings shown.

DRAFT MEDIUM TERM CAPITAL PROGRAMME 2019-20

Consideration was given to the report of the Borough Treasurer, as contained on pages 807 to 814 of the Book of Reports, which advised on the Council's Medium Term Capital Programme.

Councillor Yates, Portfolio Holder for Resources and Transformation, moved a Motion, which set out the Labour Capital Programme proposals, as circulated at the meeting and contained within the Book of Reports, which was seconded.

An Amendment from the Conservative Group, as circulated at the meeting and

contained within the Book of Reports, was moved and seconded.

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

An Amendment from the Our West Lancashire Group, 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 following budget items be approved, based on the Capital Programme proposals presented:

<u>New Proposals</u>	£000
Egress secure email and file transfer IT system	21
Windows 10 upgrades - equipment and software	100
Fire safety works to Council corporate buildings	267
Purchase of pressure washer and water bowser	5
Purchase of wood chipper	3
Demountable skip body refurbishment	25
Replacement vehicle wash	21
Updated weighbridge software	10
Expand in-cab system in remaining refuse and recycling vehicles	20
Waste collection projects (see notes)	55
Leisure facilities essential works	70
<u>Funding requirement</u>	597

This funding requirement can be met
from available capital receipts

(Notes

The waste collection projects will include the provision of free bins where appropriate to certain types of properties including those currently in receipt of a weekly sack collection, those on rural farm rounds, and those properties with second grey bins.

The other schemes in Appendix 2 to the capital programme report not included above will be deferred for consideration at the Council meeting in July 2019.)

- B. That delegated authority be given to the Chief Executive and Heads of Service to take all necessary action to implement the agreed Capital Programme.

88 HOUSING ACCOUNT - REVENUE AND CAPITAL PROGRAMME

Consideration was given to the joint report of the Director Housing and Inclusion and the Borough Treasurer, as contained on pages 815 to 830 of the Book of Reports, which advised on the rent and service charges to be applied; and detailed the Public Sector Housing Capital Investment Programme and Housing Revenue Estimates for 2019/20.

Councillor Forshaw, Portfolio Holder for Housing and Landlord Services, moved a Motion, as circulated at the meeting and contained in the Book of Reports, which set out Labour proposals in relation to the Draft Housing Revenue Account Estimates for 2019/20 and Public Sector Housing Capital Investment Programme 2019/20, which was seconded.

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

- RESOLVED:
- A. That the Rent and Service charges set within delegated authority, as detailed in Section 4 and 5 of the report be noted and endorsed.
 - B. That the comments of the Tenants and Residents, as set out in Appendix E to the report be noted.
 - C. That the Housing Revenue Account Budget and Capital Investment Plan, set out in Appendices A and B to the report be approved, subject to the changes set out in the Labour proposals circulated at the meeting and contained in the Book of Reports.
 - D. That delegated authority be given to the Director of Housing & Inclusion, in consultation with the Housing and Landlord Services Portfolio Holder, to utilise one for one capital receipt funding together with HRA borrowing to acquire new properties, subject to there being a satisfactory business case.
 - E. That the Housing Revenue Account Reserves Policy set out in

Appendix C to the report be approved.

- F. That delegated authority be given to the Director of Housing and Inclusion to take all necessary action to implement the decisions of Council.

89 **TREASURY MANAGEMENT FRAMEWORK INCORPORATING CAPITAL FINANCING AND CAPITAL STRATEGY**

Consideration was given to the report of the Borough Treasurer, as contained on pages 831 to 860 of the Book of Reports, which detailed the framework for capital financing and treasury management operations for the next financial year.

- RESOLVED: A. That the projected position in respect of the Prudential Indicators, as set out in Appendix 1 to the report, for 2018-19 be noted.
- B. That the Prudential Indicators for the next three years be agreed, as set out in Appendix 2 to the report.
- C. That the minimum revenue provision (MRP) policy as set out in Appendix 3 to the report, be approved for the next financial year.
- D. That the Capital Strategy as set out in Appendix 4 to the report, be approved for the next financial year.

90 **MAYOR ELECT 2019/20**

Consideration was given to the report of the Borough Solicitor, as contained on pages 861 to 862 of the Book of Reports, which sought nominations for the positions of Mayor and Deputy Mayor for 2019/20.

Nominations for Mayor-elect and Deputy Mayor-elect for the Municipal Year 2019/20 were not submitted.

RESOLVED: That the report be noted.

91 **TIMETABLE OF MEETINGS 2019/20**

Consideration was given to the report of the Borough Solicitor, as contained on pages 863 to 866 of the Book of Reports, which sought approval of the timetable of meetings for the Municipal Year 2019/20.

RESOLVED: That the timetable for the meetings for the 2019/20 Municipal Year, attached as an Appendix to the report, be approved.

92 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the

following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that 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.

93 **FORMING A DEVELOPMENT COMPANY**

Consideration was given to the joint report of the Director of Housing and Inclusion and the Borough Treasurer, as contained on pages 867 to 948 of the Book of Reports, which provided members with a progress update since the decisions of Extraordinary Cabinet and Council on 17 October 2018 and sought approval to proceed with forming a Development Company, with the appointment of the Board of Directors and for the Company to become operational; and to approve the Development Company's Business Plan for implementation, together with its funding arrangements.

A Motion to approve the recommendation at paragraph 4 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 creation of the Development Company, named Tawd Valley Developments Limited be approved.
 - B. That the Chief Executive in consultation with the Leader, Portfolio Holder for Housing and Landlord Services and Portfolio Holder for Resources and Transformation be authorised to determine all matters, as the shareholder for the Development Company, on behalf of the Council.
 - C. That the appointment of the Director of Housing and Inclusion and the Borough Treasurer as Directors of the Development Company be approved.
 - D. That the governance and financial arrangements required for the Development Company to operate with the Council as sole shareholder, as set out in this report at section 4 and section 8 be approved.
 - E. That the Director of Housing and Inclusion, in consultation with the Leader of the Council, Portfolio Holder for Housing and Landlord Services and Portfolio Holder for Resources and Transformation, be authorised to take all necessary steps to enable the Development Company to be set up including

making arrangements for the appointment of the two independent directors to the Development Company Board.

- F. That the Development Company's annual Business Plan set out at Appendix 1 to the report attached at Appendix A, be approved.
- G. That the financial and resource implications at section 8 of the report be noted and approved.
- H. That authority be given to sell the Council owned land referred to in the Business Plan to the Development Company at market value, including the ability to licence the occupation of this land subject to the obtaining of all necessary licences, permissions and consents and the making of any arrangements to appropriate any suitable Housing Revenue Account (HRA) land for General Revenue Account use.
- I. That the Council be authorised to purchase or procure the affordable housing units on behalf of the Housing Revenue Account (HRA) as set out in paragraphs 8.5 and 8.6 of the report attached at Appendix A.
- J. That the Borough Treasurer, in consultation with the Portfolio Holder for Resources and Transformation, be authorised to manage the loan arrangements set out in accordance with paragraph 8.2 of the report attached at Appendix A.
- K. That the Chief Executive be authorised to amend the job descriptions of the Director of Housing and Inclusion and the Borough Treasurer to reflect their role as Directors of the Development Company.
- L. That the 2008 Indemnity arrangements at Appendix 6 be noted and approved.

94 MOTIONS

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

95 FAIRTRADE - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR C DERELI, ON BEHALF OF THE LABOUR GROUP

The following Motion was moved and seconded:

"In declaring itself a supporter of the Fairtrade movement, recognising the value of the Fairtrade scheme to producers in developing countries who would otherwise not receive a living wage for their work, and recognising that these Fairtrade farmers are often working as cooperatives (an approach we would want to support in pursuit of our anti-slavery commitment) this Council resolves to:

- *reaffirms its support in principle for Fairtrade*
- *follow the examples such as Edge Hill University, and serve Fairtrade teas and coffees*
- *encourage the use of Fairtrade products wherever it can*
- *encourage/support the formation of a West Lancashire Steering Group to promote Fairtrade access across the Borough with a view to becoming a Fairtrade Borough, following the example of Burscough as a Fairtrade Town."*

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: That this Council:

- A. Reaffirms its support in principle for Fairtrade.
- B. Will follow the examples such as Edge Hill University, and serve Fairtrade teas and coffees.
- C. Will encourage the use of Fairtrade products wherever it can.
- D. Will encourage/support the formation of a West Lancashire Steering Group to promote Fairtrade access across the Borough with a view to becoming a Fairtrade Borough, following the example of Burscough as a Fairtrade Town.

96

FRACKING - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR I MORAN, ON BEHALF OF THE LABOUR GROUP

The following Motion was moved and seconded:

"This Council resolves that:

While being totally opposed to shale gas extraction (Fracking) and the damage it threatens to our health, safety, environment and countryside, the Leader and Chief Executive write to the Secretary of State for the Environment, Food and Rural Affairs and the Minister of State for Energy and Clean Growth, asking them to reaffirm their position that there will be no weakening of the existing traffic light system, as proposed by Cuadrilla, to allow fracking to continue where it causes seismic activity in excess of 0.5 magnitude."

At the request of a Member, voting on the Motion was recorded as follows:

FOR: Councillors Aldridge, C Cooper, R Cooper, Cotterill, Cummins, Delaney, Dereli, Devine, Dowling, D Evans, S Evans, Forshaw, Furey, Hennessy, G Hodson, J Hodson, Lockie, Mills, Moran, Nixon, Owen, Pritchard, Pryce-Roberts, Savage, West, Wilkie, Wright and Yates (TWENTY EIGHT)

AGAINST: (NONE)

ABSTENTIONS: Councillors Ashcroft, Mrs Baybutt, Mrs Blake, Blane, Currie, Davis, Mrs C Evans, C Marshall, Mrs Marshall, Mee, O'Toole, Owens, Pope, Mrs Westley, Whittington and Witter (SIXTEEN)

RESOLVED: That while being totally opposed to shale gas extraction (Fracking) and the damage it threatens to our health, safety, environment and countryside, the Leader and Chief Executive write to the Secretary of State for the Environment, Food and Rural Affairs and the Minister of State for Energy and Clean Growth, asking them to reaffirm their position that there will be no weakening of the existing traffic light system, as proposed by Cuadrilla, to allow fracking to continue where it causes seismic activity in excess of 0.5 magnitude.

(Note: In accordance with Council Procedure Rule 9, a Motion to continue the meeting past 11.00pm until 11.30pm or until business was concluded (if earlier), was moved, seconded and agreed by the meeting.)

97 **FLOODING - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR N HENNESSY, ON BEHALF OF THE LABOUR GROUP**

The following Motion was moved and seconded:

"Council notes:

The publication of the Hurlston Brook Flood Risk Study, and its recommendation.

Council believes:

Appropriate action must be taken to protect residents devastated by flooding previously and at risk again, and also residents who are now at risk of flooding.

Council resolves:

That the Leader and Chief Executive write to the Leader and Chief Executive of Lancashire County Council (as the Local Lead Flood Authority) and the Secretary of State for the Environment, Food and Rural Affairs to request the consideration of some element of large scale investment to protect our residents from further flooding in West Lancashire, and invest to enable the implementation of the recommendations of the Jacobs Flood Report. Further, LCC and DEFRA should lead a multi-agency partnership response with the private sector to access any financial opportunities that may be available to fund the protection of residents' homes and local businesses."

An Amendment to the Motion was moved and seconded, as contained within the Book of Reports.

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

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

RESOLVED: A. That the publication of the Hurlston Brook Flood Risk Study, and

its recommendation be noted.

- B. That the Leader and Chief Executive write to the Leader and Chief Executive of Lancashire County Council (as the Local Lead Flood Authority) and the Secretary of State for the Environment, Food and Rural Affairs to request the consideration of some element of large scale investment to protect our residents from further flooding in West Lancashire, and invest to enable the implementation of the recommendations of the Jacobs Flood Report and that LCC and DEFRA should lead a multi-agency partnership response with the private sector to access any financial opportunities that may be available to fund the protection of residents' homes and local businesses.

98 ROADS - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR G DOWLING, ON BEHALF OF THE LABOUR GROUP

The meeting finished at 11.32pm, and it was agreed that this item would not be considered.

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THE MAYOR