



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

Monday, 29 October 2018

**TO: COUNCILLORS I MORAN, Y GAGEN, C COOPER, J FORSHAW, J HODSON,
K WILKIE, K WRIGHT AND A YATES**

Dear Councillor,

A meeting of the **CABINET** will be held in the **CABINET/COMMITTEE ROOM, 52 DERBY STREET, ORMSKIRK L39 2DF** on **TUESDAY, 6 NOVEMBER 2018** at **7.00 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)

- 1. APOLOGIES**
- 2. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

If, by virtue of the date by which a decision must be taken, it has not been possible to follow Rule 15 (i.e. a matter which is likely to be the subject of a key decision has not been included on the Forward Plan) then the decision may still be taken if:

- a) The Borough Solicitor, on behalf of the Leader, obtains the

agreement of the Chairman of the Executive Overview and Scrutiny Committee that the making of the decision cannot be reasonably deferred,

- b) The Borough Solicitor, on behalf of the Leader, makes available on the Council's website and at the offices of the Council, a notice setting out the reasons that the decision is urgent and cannot reasonably be deferred.

3. DECLARATIONS OF INTEREST 1083 - 1084

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.)

4. PUBLIC SPEAKING 1085 - 1088

Residents of West Lancashire, on giving notice, may address the meeting to make representations on any item on the agenda except where the public and press are to be excluded during consideration of the item. The deadline for submissions is 10.00am Friday 2 November 2018.

5. MINUTES 1089 - 1096

To receive as a correct record the minutes of the following meetings of Cabinet

- 11 September 2018
- 17 October 2018

6. MATTERS REQUIRING DECISIONS

6a HRA Revenue and Capital Mid Year Review 1097 - 1104
(Relevant Portfolio Holders: Councillor J Forshaw & A Yates)

6b General Revenue Account Mid Year Review 1105 - 1108
(Relevant Portfolio Holder: Councillor A Yates)

6c Revised Capital Programme 1109 - 1116
(Relevant Portfolio Holder: Councillor A Yates)

6d Burscough Parish Neighbourhood Plan Submission Version 1117 - 1130
(Relevant Portfolio Holder: Councillor J Hodson)

7. 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 involve the likely disclosure of

exempt information as defined in paragraphs 1 & 2 (an individual) & 3 (financial/business 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.

(Note: No representations have been received about why the meeting should be open to the public during consideration of the following items of business).

Part 2
(Not open to the public)

8. MATTERS REQUIRING DECISIONS

8a	Commercial Property Investments - Update (Relevant Portfolio Holder: Councillor I Moran)	1131 - 1138
8b	Review of grounds maintenance and street cleansing update (Relevant Portfolio Holder: Councillor K Wilkie)	1139 - 1168
8c	Response Maintenance and Voids Contract Delivery Model (Relevant Portfolio Holder: Councillor J Forshaw)	1169 - 1240

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:-
Sue Griffiths on 01695 585097
Or email susan.griffiths@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		
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

Prescribed description

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

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.

PUBLIC SPEAKING – PROTOCOL

(For meetings of Cabinet, Overview & Scrutiny Committees, Audit & Governance Committee and Standards Committee)

1.0 Public Speaking

1.1 Residents of West Lancashire may, on giving notice, address any of the above meetings to make representations on any item on the agenda for those meetings, except where the public and press are to be excluded from the meeting during consideration of the item.

1.2 The form attached as an Appendix to this Protocol should be used for submitting requests.

2.0 Deadline for submission

2.1 The prescribed form should be received by Member Services by 10.00 am on the Friday of the week preceding the meeting. This can be submitted by e-mail to member.services@westlancs.gov.uk or by sending to:

Member Services
West Lancashire Borough Council
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

2.2 Completed forms will be collated by Member Services and circulated via e-mail to relevant Members and officers and published on the Council website via Modgov. Only the name of the resident and details of the issue to be raised will be published.

2.3 Groups of persons with similar views should elect a spokesperson to speak on their behalf to avoid undue repetition of similar points. Spokespersons should identify in writing on whose behalf they are speaking.

3.0 Scope

3.1 Any matters raised must be relevant to an item on the agenda for the meeting.

3.2 The Borough Solicitor may reject a submission if it:

- (i) is defamatory, frivolous or offensive;
- (ii) is substantially the same as representations which have already been submitted at a previous meeting; or
- (iii) discloses or requires the disclosure of confidential or exempt information.

4.0 Number of items

- 4.1 A maximum of one form per resident will be accepted for each Agenda Item.
- 4.2 There will be a maximum of 10 speakers per meeting. Where there are more than 10 forms submitted by residents, the Borough Solicitor will prioritise the list of those allowed to speak. This will be considered having regard to all relevant matters including:
- a. The order in which forms were received.
 - b. If one resident has asked to speak on a number of items, priority will be given to other residents who also wish to speak
 - c. Whether a request has been submitted in relation to the same issue.
- 4.3 All submissions will be circulated to Members of the relevant body and officers for information, although no amendments will be made to the list of speakers once it has been compiled (regardless of withdrawal of a request to speak).

5.0 At the Meeting

- 5.1 Speakers will be shown to their seats. At the commencement of consideration of each agenda item the Leader/Chairman will invite members of the public to make their representations. Residents will have up to 3 minutes to address the meeting. The address must reflect the issue included on the prescribed form submitted in advance.
- 5.2 Members may discuss what the speaker has said along with all other information, when all public speakers on that item have finished and will then make a decision. Speakers should not circulate any supporting documentation at the meeting and should not enter into a debate with Councillors.
- 5.4 If residents feel nervous or uncomfortable speaking in public, then they can ask someone else to do it for them. They can also bring an interpreter if they need one. They should be aware there may be others speaking as well.
- 5.5 Speakers may leave the meeting at any time, taking care not to disturb the meeting.

(Please see attached form.)



REQUEST FOR PUBLIC SPEAKING AT MEETINGS

MEETING & DATE

NAME

ADDRESS

Post Code

PHONE

Email

Please indicate if you will be in attendance at the meeting

YES/NO*

*delete as applicable

Note: This page will not be published.

(P.T.O.)

PLEASE PROVIDE DETAILS OF THE MATTER YOU WISH TO RAISE

Agenda Item Number

Title

Details

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Name

Dated

Completed forms to be submitted by 10.00am on the Friday of the week preceding the meeting to:-

*Member Services, West Lancashire Borough Council, 52 Derby Street, Ormskirk, Lancashire, L39 2DF or
Email: member.services@westlancs.gov.uk*

If you require any assistance regarding your attendance at a meeting (including access) or if you have any queries regarding your submission please contact Member Services on 01695 585065.

Note: This page will be published.

Agenda Item 5

CABINET

HELD: Tuesday, 11 September 2018

Start: 7.00 pm

Finish: 8.00 pm

PRESENT:

Councillor: Councillor Ian Moran
(Leader, in the Chair)

Councillors:		<u>Portfolio</u>
	Councillor Yvonne Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
	Councillor Claire Cooper	Portfolio Holder for Communities and Older People
	Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
	Councillor John Hodson	Portfolio Holder for Planning
	Councillor Kevin Wilkie	Portfolio Holder for Street Scene
	Councillor Kevin Wright	Portfolio Holder for Health and Community Safety
	Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance: Councillors Davis, Owens & D Westley
Councillors

Officers: Kim Webber, Chief Executive
John Harrison, Director of Development and Regeneration
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
Heidi McDougall, Director of Leisure & Environment
Terry Broderick, Borough Solicitor
Marc Taylor, Borough Treasurer
Peter Richards, Strategic Planning & Implementation Manager
Sue Griffiths, Principal Member Services Officer

24 **APOLOGIES**

There were no apologies for absence.

25 **SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

There were no items of special urgency.

26 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

27 PUBLIC SPEAKING

Representations were received from two residents in relation to the following item:-

Agenda item 6(e) – Local Plan Review – Proposed Local Plan Preferred Options Consultation.

28 MINUTES

RESOLVED That the minutes of the Cabinet meetings held on 12 June and 18 July 2018 be received as a correct record and signed by the Leader.

29 MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as circulated and contained on pages 233 – 981 and 989 - 996 of the Book of Reports.

At this point the Leader changed the order to business to enable agenda item 6e (Proposed Local Plan Preferred Options Consultation) to be considered before item 6a.

30 WATER ENVIRONMENT GRANT

Councillor Gagen introduced the report of the Director of Leisure and Environment which sought delegated authority to accept an offer of external funding from the Water Environment Grant Scheme for the development of Sustainable Urban Drainage Systems (SUDS) in Tawd Valley Park, Skelmersdale.

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 Director of Leisure and Environment be given delegated authority to formally accept the offer of a Water Environment Grant of up to £982,000, to be used in the Tawd Valley Park Project, and to take all necessary steps to comply with the terms of the Grant.

(B) That call-in is not appropriate for this report as the matter is one requiring urgent action.

After consideration of this item business was suspended due to disturbance by the public.

31 QUARTERLY PERFORMANCE INDICATORS Q1 2018-19

The Leader introduced the report of the Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 30 June 2018.

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 Council's performance against the indicator set for the quarter ended 30 June 2018 be noted.

(B) That the call-in procedure is not appropriate for this item as the report will be submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 11 October 2018.

32 DRAFT CIL FUNDING PROGRAMME 2019/20

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought authority to consult the public on the draft CIL Funding Programme for 2019/20, which included options for prioritising potential infrastructure projects for receipt of CIL Funding in this year.

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 public consultation on a Draft CIL funding Programme for 2019/20 be approved, and that the shortlist of infrastructure projects identified at paragraph 4.1 of the report be included in that consultation.

(B) That the public consultation on the spending of "neighbourhood" CIL monies in Ormskirk be approved, and that the shortlist identified at paragraph 4.2 of the report be included in that consultation.

33 LOCAL DEVELOPMENT SCHEME UPDATE

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought approval for an updated Local Development Scheme, which slightly amended the timetable for the Local Plan Review.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the Local Development Scheme attached at Appendix A to the report be approved for publication and to take effect from 1

October 2018.

34 **LOCAL PLAN REVIEW - PROPOSED LOCAL PLAN PREFERRED OPTIONS CONSULTATION**

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought authorisation to consult the public on the Council's Preferred Options for a new Local Plan.

Minute No. 49 of the Planning Committee meeting held on 6 September 2018 was circulated at the meeting and in relation to minute 49 (B), the Portfolio Holder confirmed that an additional event would be held in the South Eastern Parishes.

A motion from Councillor J Hodson was circulated at the meeting.

At the invitation of Councillor J Hodson, the Director of Development and Regeneration and the Strategic Planning & Implementation Manager addressed the meeting to provide an outline of the local plan process.

In reaching the decision below, Cabinet considered the minute of the Planning Committee, the motion from Councillor J Hodson, the representations of Minute 27 above, the comments of the officers (Director of Development and Regeneration & Strategic Planning & Implementation Manager) and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the agreed comments of the Planning Committee be noted.

(B) That the Local Plan Preferred Options document provided at Appendix C be approved for a six week public consultation exercise, subject to the revision of paragraph 3.12 in order to provide further clarification of the calculation for the housing requirement for the local plan.

(C) That the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, be authorised to finalise and make amendments, prior to public consultation, to the Local Plan Preferred Options following consideration of any agreed comments from the Executive Overview & Scrutiny Committee.

(D) That call-in is not appropriate for this item as the report is being considered at the next meeting of the Executive Overview and Scrutiny Committee on 27 September 2018.

35 **RISK MANAGEMENT**

Councillor Yates introduced the report of the Borough Treasurer which set out details on the key risks facing the Council and how they are being managed.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A to the report) be noted and endorsed.

36 **DEVELOPING AND SELLING PRODUCTS TO PROMOTE PLACES WITHIN WEST LANCASHIRE**

The Leader introduced the report of the Director of Development and Regeneration which sought approval to develop and sell Ormskirk branded products in order to promote the Town.

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 sale of Council created branded items through a range of mediums including utilising local retailers, attractions and online be approved.

(B) That authority be given to the Director of Development and Regeneration to take all steps necessary to design, produce and sell products through local retailers, attractions, the Chapel Gallery and/or online, subject to suitable financial probity measures being put in place.

37 **SUSTAINABLE ORGANISATION REVIEW - APPOINTMENT OF CONTRACTOR**

Councillor Yates introduced the report of the Borough Solicitor which sought agreement of the appointment of the contractor for the Sustainable Organisation Review Project (SORP).

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 report be noted.

(B) That subject to the approval of Council, Red Quadrant be appointed as the contractor for the Sustainable Organisation Review Project.

38 **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 (financial/business affairs) 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.

(Note: No representations had been received in relation to the following item being considered in private.)

39 MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring a decision as contained on pages 981 – 986 and 997 – 1003 of the Book of Reports.

40 DISPOSAL - LAND ADJACENT TO THE WATER TOWER, TOWER HILL, ORMSKIRK

The Leader introduced the report of the Director of Development and Regeneration which sought approval to dispose of an area of land adjacent to the Water Tower, Tower Hill, Ormskirk.

The revised report of the Director of Development and Regeneration was circulated at the meeting.

A motion from the Leader was circulated at the meeting.

In reaching the decision below, Cabinet considered the revised report, the motion from the Leader and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the Director of Development and Regeneration be authorised to take all necessary steps to facilitate a sale of the subject land for the sum of £35,000 plus costs as set out in Section 5 of the report.

(B) That the capital receipt from the sale of the land be used to fund the provision of new allotments or to enhance existing allotments in Ormskirk.

.....
Leader

CABINET

HELD: Wednesday, 17 October 2018

Start: 6.30 pm

Finish: 6.31 pm

PRESENT:

Councillor: Councillor Ian Moran
(Leader, in the Chair)

Councillors:

Councillor Yvonne Gagen	<u>Portfolio</u> Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
Councillor Claire Cooper	Portfolio Holder for Communities and Older People
Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
Councillor John Hodson	Portfolio Holder for Planning
Councillor Kevin Wilkie	Portfolio Holder for Street Scene
Councillor Kevin Wright	Portfolio Holder for Health and Community Safety
Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance:
Councillors Councillor Nikki Hennessy
Councillor Gail Hodson

Officers:

Kim Webber, Chief Executive
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
Heidi McDougall, Director of Leisure & Environment
Terry Broderick, Borough Solicitor
Marc Taylor, Borough Treasurer
Jacky Denning, Assistant Member Services Manager

41 **APOLOGIES**

There were no apologies for absence.

42 **SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

There were no items of special urgency.

43 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

44 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 (financial/business affairs) 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.

(Note: No representations had been received in relation to the following item being considered in private.)

45 MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring a decision as contained on pages 1007 - 1081 of the Book of Reports.

46 FORMING A DEVELOPMENT COMPANY

The Leader introduced the joint report of the Director of Housing and Inclusion and Borough Treasurer which provided an update on progress with forming a development company. The report sought approval for the appointment of the Board of Directors, for the Company to become operational and to the development company's business plan for implementation and its funding arrangements.

The Leader circulated a motion which sought a deferral of the item to a future meeting of the Cabinet in order to consider the Chancellor of the Exchequer's imminent Budget Statement.

RESOLVED That this item be considered at the next or a future meeting of Cabinet in order to give consideration to the Chancellor of the Exchequer's budget statement which is to be delivered on 29 October 2018.

.....
Leader



CABINET: 6 November 2018

**EXECUTIVE OVERVIEW AND SCRUTINY
COMMITTEE: 22 November 2018**

COUNCIL: 12 December 2018

Report of: Director of Housing and Inclusion and Borough Treasurer

Relevant Portfolio Holder: Councillor J. Forshaw

Contact for further information: Mr P. Quick (Extn. 5203)
(Email: peter.quick@westlancs.gov.uk)

SUBJECT: HRA REVENUE AND CAPITAL MID-YEAR REVIEW

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To provide a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2018/19 financial year.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the 2018/19 HRA and Housing capital programme positions be noted.
- 2.2 That the proposed budget adjustments identified in the Appendix 2 be endorsed for consideration by Council.
- 2.3 That Call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 22 November 2018.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That the 2018/19 HRA and Housing capital programme positions be noted.

4.0 RECOMMENDATIONS TO COUNCIL

- 4.1 That the 2018/19 HRA and Housing capital programme positions be noted.
- 4.2 That the proposed budget adjustments identified in Appendix 2 be approved.

5.0 BACKGROUND

- 5.1 In February 2018 Council agreed the HRA revenue and capital budgets for the 2018/19 financial year. Subsequently in July 2018 Council noted the favourable financial outturn position of the 2017/18 HRA and Capital Investment Programme and approved a number of budget changes and allocations.
- 5.2 As a result of previously approved policy options, the HRA should be able to achieve a balanced budget position during the period of 1% per annum rent reductions that will need to be implemented under government rules until 2020.

6.0 HOUSING REVENUE ACCOUNT – PROJECTED OUTTURN

- 6.1 A summary of the projected HRA revenue outturn is set out in Appendix 1 and shows that a favourable budget variance of £1,146,000 is expected, representing 4.5% of total turnover. This demonstrates that the HRA remains in a healthy financial position.
- 6.2 The main variations that are expected at this time include:
- There are a number of vacant posts, largely in Property Services, pending recruitment of the permanent staff to fill them. Consequently a significant favourable variance is anticipated on employee costs.
 - Following painting contractor issues in 2017/18 a more integrated and planned approach is being taken that delivers pre-painting at the same time as guttering and other works. The pre-painting budget itself will therefore largely not be used.
 - Void repairs and responsive repairs are both demand-led so these budget requirements can change as circumstances evolve. This year so far more responsive work is being carried out for tenants than in the same period of 2017/18 and consequently this budget area is likely to overspend.
 - Funding of £100,000 has been used from the budget contingency to support the capital programme. No further uses of the remaining budget contingency of £242,000 are anticipated at this time.
- 6.3 It is intended that consideration will be given to how the projected favourable budget variance of £1,146,000 should be used as part of the budget setting process for 2019/20.

7.0 CAPITAL INVESTMENT PROGRAMME

- 7.1 As part of the mid-year review, capital programme budgets have been examined to ensure that they continue to be required and that their level is appropriate. Appendix 2 summarises the results of this review and proposes a number of changes. These changes would reduce the overall size of the programme from £16.398m to £15.455m, as a result of £0.680m of re-profiling of expenditure into future years and taking out £0.263m of expenditure on schemes that are no longer required.

- 7.2 A summary of the Housing Capital expenditure year to date position against the revised budget is shown in Appendix 3. Total expenditure to date is £5.035m which represents 33% of the total budget. For comparison purposes, at the mid-year point in 2017/18 expenditure was around 25%.
- 7.3 Results from the recent stock condition survey have been compiled and an updated investment plan is being created in preparation for 2019/20 budget setting.

8.0 SUSTAINABILITY IMPLICATIONS

- 8.1 Monitoring the budget position ensures, with information we are aware of, that the HRA remains able to deliver services and is financially sustainable in the medium term. This supports the aim that local people should receive good quality homes for a fair and appropriate rent.

9.0 RISK ASSESSMENT

- 9.1 The formal reporting of performance on the Housing Revenue Account is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.

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

Appendix 1 - HRA Revenue Projected Outturn.

Appendix 2 - Housing Revised Capital Programme Summary of Changes.

Appendix 3 - Housing Capital Year to Date Position

Appendix 4 - Minute of Cabinet (Executive Overview and Scrutiny Committee 22 November 2018 only) – *to follow*

Appendix 5 - Minute of Executive Overview and Scrutiny Committee (Council 12 December 2018 only) – *to follow*

Appendix One – HRA Revenue Projected Outturn

Budget Area	Budget £000	Variance £000	Comment
Employee Expenses	4,621	-250	Staffing vacancies will lead to a favourable budget variance
Void repairs and response repairs	2,742	175	Both budgets are demand-led so final outturn depends upon various factors. Pressure to date on these budgets mainly due to increased resident activity
Other premises costs	3,232	-660	Following painting contractor issues in 2017/18 a more integrated and planned approach is being taken that delivers pre-painting at the same time as guttering and other works. The pre-painting budget itself will therefore largely not be used.
Transport costs	186	0	
Budget contingency	242	-242	Funding of £100,000 has been transferred to capital but there are no other anticipated requirements for the remaining budget of £242,000
Supplies and Services	1,076	-170	Variance reflects a range of factors including a smaller than anticipated bad debt provision
Support Services and internal income (net)	-1,075	61	
Loan interest	3,057	0	
Contributions to capital	11,335	0	A contribution to the capital budget of £8,456k was approved by Council in February 2018 budget setting. A further £2,779k of revenue contributions from 2017/18 slippage and surplus was approved by Council in July 2018. An additional £100k is now being funded from the budget contingency (£8,456k + £2,779k + £100k = £11,335k).
Dwelling rents	-22,820	-10	
Other external income	-2,596	-50	
Total	0	-1,146	Represents 4.5% of the overall turnover

Appendix Two – Housing Revised Capital Programme Summary of Changes

Scheme	Current Budget £000's	Transfers £000's	Re-profiling £000's	Funding changes £000's	Revised Budget £000's	Comments
Beechtrees	3,699				3,699	
Re-Roofing Works	2,826		-600	-400	1,826	£600k slipped to future years, £400k anticipated works not required
Walls	1,258				1,258	
Heating System Upgrades	1,021	150			1,171	Communal funding transferred for Evenwood Court communal boiler replacement
Bathroom Replacements	965		100		1,065	Reprofiled from the 2019/20 budget to utilise the contractor effectively and deliver part of next year's programme in 2018/19
Electrical Upgrades	927		-180	-40	707	£180k slipped to future years
Adaptations for Disabled People	828			-443	385	£243k was slipped from 2017/18 to fund three adaptations projects. These are continuing but can now be accommodated within the 2018/19 budget. A further £200k will not be spent and is therefore being released
Communal Areas Improvements	756	-150			606	
Professional Fees	697				697	
Westec Development HRA Element	637				637	
Contingency/Voids	466				466	
Kitchen Replacements	414				414	
Windows and Doors	336				336	
Improvements to Binstores	224	140			364	Funding transferred from structural works
Communal Fire Safety Works	200			700	900	Additional spending requirement identified from Fire Risk Assessment survey
Structural Works	199	-140			59	

Scheme	Current Budget £000's	Transfers £000's	Re- profiling £000's	Funding changes £000's	Revised Budget £000's	Comments
Sheltered Housing Upgrades	183	-40		-80	63	
Install Carbon Monoxide Detectors	180				180	
Lifts	168				168	
HRA Garages	149	40			189	
Local Housing Allowance Initiatives	51				51	
Firbeck Revival	50				50	
Environmental Programme	45				45	
Purchase Service Charge Software	40				40	
Digital Inclusion Initiatives	39				39	
Housing OR Recommendations	23				23	
Flaxton Rainbow	12				12	
Flood Resilience Works	5				5	
Total	16,398	0	-680	-263	15,455	

Resources

	Current Budget £000's	Transfers £000's	Re- profiling £000's	Funding changes £000's	Revised Budget £000's	Comments
Capital Receipts	190				190	
HRA Borrowing	4,973		-780	-263	3,930	
HRA/MRA Contribution	11,235		100		11,335	
Total Resources	16,398	0	-680	-263	15,455	

Appendix Three – Housing Capital Year to Date Position

Scheme Description	Revised Budget £000's	Mid-year Spend £000's	Mid-year Spend %
Beechtrees	3,699	888	24%
Re-Roofing Works	1,826	628	34%
Walls	1,258	381	30%
Heating System Upgrades	1,171	424	36%
Bathroom Replacements	1,065	952	89%
Electrical Upgrades	707	196	28%
Adaptations for Disabled People	385	167	43%
Communal Areas Improvements	606	28	5%
Professional Fees	697	659	95%
Westec Development HRA Element	637	192	30%
Contingency/Voids	466	253	54%
Kitchen Replacements	414	1	0%
Windows and Doors	336	36	11%
Improvements to Binstores	364	12	3%
Communal Fire Safety Works	900	54	6%
Structural Works	59	25	42%
Sheltered Housing Upgrades	63	34	54%
Install Carbon Monoxide Detectors	180		0%
Lifts	168		0%
HRA Garages	189	54	29%
Local Housing Allowance Initiatives	51		0%
Firbeck Revival	50	-29	-58%
Environmental Programme	45	51	113%
Purchase Service Charge Software	40		0%
Digital Inclusion Initiatives	39	12	31%
Housing OR Recommendations	23	4	17%
Flaxton Rainbow	12	11	92%
Flood Resilience Works	5		0%
Energy Efficiency	0	2	N/a
Total Expenditure	15,455	5,035	33%



CABINET: 6 November 2018

EXECUTIVE OVERVIEW AND SCRUTINY
COMMITTEE: 22 November 2018

Report of: Borough Treasurer

Contact for further information: Marc Taylor (Extn. 5092)
(E-mail: Marc.Taylor@westlancs.gov.uk)

SUBJECT: GENERAL REVENUE ACCOUNT MID YEAR REVIEW

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To provide a summary of the projected revenue position on the General Revenue Account (GRA) at the mid year point of the 2018/19 financial year.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the financial position of the GRA be noted including the position on reserves and balances.

2.2 That Call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 22 November 2018.

3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That the financial position of the GRA be noted including the position on reserves and balances.

4.0 BACKGROUND

- 4.1 The GRA is facing a challenging financial position primarily as a result of ongoing reductions in government grant funding. To address this position a range of measures were agreed through the Policy Options process to deliver savings and generate additional income of just under £1.06m in 2018-19. The effective implementation of these measures is a key factor in ensuring that the GRA maintains a healthy financial position.

5.0 REVENUE PROJECTIONS

- 5.1 The Council has set a revenue budget of £12.635m for the financial year. The mid-year review against this budget is now projecting an overall favourable variance of £40,000 or 0.3%. The projections have been calculated on a prudent basis, and consequently it can be confidently expected that the Council will achieve its budget target. This will continue our strong track record of managing our financial performance to ensure that the outturn position is in line with the budget. The Appendix to this report provides details on the performance of individual service areas within the GRA.
- 5.2 Employee costs form a significant proportion of the Council's total budget and consequently are very important from a budget management perspective. The active management of staffing levels is ensuring that employee costs are being effectively controlled and a favourable budget variance is expected.
- 5.3 The external income that the Council generates can be one of the most volatile areas of the budget, with income going up and down due to factors outside our direct control. This year income levels are generally in line or are performing better than the budget targets, including income from garden waste charging and income from our commercial assets portfolio.
- 5.4 In general good performance is also being made in delivering Policy Option measures. The largest measure introduced this year related to corporate budget streamlining through increasing the central budget target for in year efficiency savings based on recent performance. The projections produced through the mid year review indicate that that this target should be achieved.

6.0 RESERVES AND BALANCES

- 6.1 The Council agreed an updated Reserves Policy at its meeting in February, and considered further changes to Reserves at its meeting in October. The Reserves Policy has taken various factors into account including the difficult medium term financial position facing the Council. Consequently the GRA will continue to have an adequate level of reserves in place that should enable it to deal with its financial challenges effectively.

7.0 SUSTAINABILITY IMPLICATIONS

- 7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

8.0 RISK ASSESSMENT

- 8.1 The formal reporting of performance on the General Revenue Account is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.

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

Appendix 1 – GRA Projected Outturn

Appendix 2 – Minute of Cabinet (Executive Overview and Scrutiny Committee 22 November 2018) only – to follow

**APPENDIX 1
GRA PROJECTED OUTTURN**

Budget area	Net Budget £000	Variance from Budget £000	Variance %
Leisure and Environment	9,911	5	0.1%
Housing and Inclusion	2,002	-70	-3.5%
Development & Regeneration	995	-80	-8.0%
Legal and Democracy	1,129	-25	-2.2%
Finance and Human Resources	1,537	-60	-3.9%
Other Budget Items	-2,939	190	See note
TOTAL	12,635	-40	-0.3%

NOTE

The budget figures for each area have been updated to include accounting adjustments and the allocation of central budget items to services. These are technical accounting adjustments that do not affect the bottom line resource position.

There is a corporate savings target of £445,000 that is held centrally within Other Budget Items. However the actual savings that are made in relation to this item are contained within services and consequently savings made elsewhere will offset the apparent variance on this budget item.



CABINET: 6 November 2018

EXECUTIVE OVERVIEW AND SCRUTINY
COMMITTEE: 22 November 2018

COUNCIL: 12 December 2018

Report of: Borough Treasurer

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

SUBJECT: REVISED CAPITAL PROGRAMME

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To agree a Revised General Revenue Account (GRA) Capital Programme for 2018/2019 and to provide an update on progress on capital schemes.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the revised Capital Programme, including the budget adjustments contained within Appendix A, be endorsed for consideration by Council.

2.2 That progress against the Revised Capital Programme be noted.

2.3 That Call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 22 November 2018.

3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That progress against the Revised Capital Programme be noted.

4.0 RECOMMENDATIONS TO COUNCIL

4.1 That the revised Capital Programme, including the budget adjustments contained within Appendix A, be approved.

4.2 That progress against the Revised Capital Programme be noted.

5.0 BACKGROUND

- 5.1 The Capital Programme is set on a three-year rolling basis and the Programmes for 2018/2019, 2019/2020 and 2020/2021 were approved by Council in February 2018. It is also standard practice for unused funding from the previous year to be slipped into the current year.
- 5.2 In accordance with best practice, the Capital Programme is subject to revision during the year to ensure that it is based on the latest available information and to make monitoring of the Programme more meaningful. It enables Managers to review their schemes with the most up to date information and to review the resources available. It also provides a base upon which to build future Capital Programmes.
- 5.3 Members are kept informed of the financial position of the Capital Programme through periodic monitoring reports. The Housing Public Sector programme is the subject of a separate report elsewhere on the agenda and this report concentrates on the GRA programme.

6.0 REVISED CAPITAL PROGRAMME

- 6.1 The original budget that was set for the 2018/19 financial year together with slippage from the previous financial year comes in total to £7.498m. Taken together with the £0.200m of funding for Blue and Green Bins agreed at July 2018 Council means that the current budget total is £7.698m.
- 6.2 Heads of Service have reviewed their respective schemes and are now proposing that changes are made as a result of more up to date information that has become available. This review process has incorporated a number of considerations including:
- Re-profiling of schemes to match the anticipated timing of spending
 - Increasing expenditure budgets to reflect new and / or additional external funding
 - Amending budgets to reflect anticipated levels of demand or new issues
- 6.3 The proposed changes to the 2018/2019 Programme are analysed in Appendix A, and show an overall net reduction of £0.570m. The revised GRA Capital Programme will then total £7.128m following these changes. The overall programme is analysed by service in Appendix B along with a summary of the revised capital resources available.

7.0 CAPITAL EXPENDITURE

- 7.1 Generally, capital schemes are profiled with relatively low spending compared to budget in the early part of the financial year with increased spending as the year progresses. This reflects the fact that many new schemes have considerable lead

in times, for example, because of the need to undertake the tendering process and award contracts at the start of the scheme. Other schemes are dependent on external partner funding and schemes can only begin once their funding details have been finalised. Other schemes include contract retentions or contingencies that will only be spent some time after completion of the contract. Most schemes then progress and spend in line with their approval by the year end.

- 7.2 For the current year, £1.908m (27%) of expenditure has been incurred by the end of September. This is a higher percentage spend than the position in 2015-16 and 2017-18, but lower than in 2016-17 as a result of the large value purchase of the Wheatsheaf Walk site that took place in the first half of that year. Comparisons to previous years' programmes are shown in Table 1.

Year	Expenditure £m	Budget £m	% spend against Budget
2018/2019	1.908	7.128	27%
2017/2018	0.455	2.634	17%
2016/2017	4.616	7.676	60%
2015/2016	1.323	10.060	13%

- 7.3 The 2 largest capital schemes in the current year's programme are the Westec House site development (£2.194m) and the Gorsey Place Redevelopment (£0.962m), and both of these schemes are currently in progress.

8.0 CAPITAL RESOURCES

- 8.1 There are sufficient resources identified to fund the 2018/2019 Revised Capital Programme as shown in Appendix B.
- 8.2 The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy legislation) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold.
- 8.3 The budget for useable capital receipts to be generated from Council House sales in the year is set at £0.633m from 50 sales. At the mid-year point 25 sales had been completed and the target for the year is expected to be met.
- 8.4 In addition to receipts from council house sales the Council also has a programme to sell plots of its land and other assets. The budget for this in the 2018/2019 Programme is £0.100m, and to date there have been 3 land sales generating £0.103m.

9.0 SUSTAINABILITY IMPLICATIONS

- 9.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. The Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital

investment plans are affordable, prudent, and sustainable. This report provides an updated position on the Programme and shows progress against it.

10.0 RISK ASSESSMENT

10.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. Schemes within the Programme that are reliant on external contributions and/or decisions are not started until funding is secured. Other resources that are subject to fluctuations are monitored closely to ensure availability. The capital receipts position is scrutinized on a regular basis and managed over the medium term to mitigate the risk of unfunded capital expenditure.

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 majority of the budget issues set out in this report have been the subject of previous reports to committees and consequently an Equality Impact Assessment has already been prepared for them where relevant.

Appendices

- A 2018/2019 Revised Capital Programme Summary of Changes
- B 2018/2019 Revised Capital Programme Spend to Date Against Budget
- C Minute of Cabinet (Executive Overview and Scrutiny Committee only) – to follow
- D Minute of Executive Overview and Scrutiny Committee (Council only) – to follow

APPENDIX A - REVISED CAPITAL PROGRAMME SUMMARY OF CHANGES

	£000
<u>Current budget total</u>	7,698
<u>Reprofiling of expenditure into future years</u>	
Parish Capital Grants Timing of expenditure is dependent on progress by Parish Councils	-15
Enabling of Digital Services Re-profiling reflects phased implementation of CRM system	-35
Affordable Housing Work delivering this scheme with our partner Regenda is ongoing	-247
Replacement Refuse Collection Vehicle Timing of replacement put back into 2019-20	-80
Park Pool Refurbishment Scheme dependent on timing of Leisure Centre replacements	-150
Play Strategy Improvements Timing of works put back into 2019-20	-40
Subtotal	<hr/> -567
<u>Other Adjustments</u>	
Tawd Valley Park Funding transferred to revenue	-3
Subtotal	<hr/> -3
Revised total	<hr/> <hr/> <u>7,128</u>

APPENDIX B - 2018/2019 CAPITAL PROGRAMME
SPEND TO DATE AGAINST BUDGET

Service	Budget Approval	Spend to date	
	£'000	£'000	%
EXPENDITURE			
Central Items			
Financial Services	105	18	17%
Central Schemes	309	0	0%
Leisure and Environment			
Leisure and Wellbeing - General	769	162	21%
Street Scene	755	496	66%
Development and Regeneration			
Planning	208	2	1%
Technical Services	281	151	54%
Regeneration and Estates	977	36	4%
Housing and Inclusion			
Corporate Property	288	42	15%
Westec Site Development	2,194	617	28%
Housing Private Sector	835	364	44%
IT Investment	407	20	5%
Total	7,128	1,908	27%

RESOURCES	
Capital Receipts	2,437
Grants and external contributions	1,238
GRA revenue funding	1,259
Prudential borrowing	2,194
Total	7,128



CABINET: 6 November 2018

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: BURSCOUGH PARISH NEIGHBOURHOOD PLAN SUBMISSION
VERSION**

Wards affected: Burscough West, Burscough East and Scarisbrick (part of)

1.0 PURPOSE OF THE REPORT

1.1 To seek authorisation to undertake public consultation upon the Submission version Burscough Parish Neighbourhood Plan, providing that it meets the required compliance check, and to seek delegated authority for associated actions.

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 consider whether the Submission version Burscough Neighbourhood Plan meets the requirements of regulation 15 of the Neighbourhood Planning (General) Regulations 2012, and if so to publicise the plan in accordance with regulation 16 of those regulations.

2.2 That authority is delegated to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, to make the Borough Council's formal response to the Submission version Burscough Parish Neighbourhood Plan and for subsequent submission of the Neighbourhood Plan for examination under regulation 17 of the Neighbourhood Planning (General) Regulations 2012 and appointment of an independent examiner.

3.0 BACKGROUND

3.1 Neighbourhood planning is a way for communities to shape the future of the places where they live and work. It enables Parish Councils and Neighbourhood Forums to prepare planning policies, decide where they want new development, have their say in relation to design and indicate what infrastructure should be provided. The provisions for neighbourhood planning are set out in Part 6 of the Localism Act 2011 which amended the Town and Country Planning Act 1990. The Neighbourhood Planning (General) Regulations 2012 and subsequent amendments in 2015 and 2016 set out the detailed arrangements that neighbourhood planning needs to follow including the stages of preparing a neighbourhood plan. These have been supplemented by the Neighbourhood Planning Act 2017, which gained Royal Assent on 27 April 2017 and is progressively being brought into force.

3.2 The Burscough Parish Neighbourhood Plan (BPNP) is currently the only neighbourhood plan being produced in West Lancashire and is now at an advanced stage of preparation. Burscough Parish Council has been responsible for preparing this plan and are referred to as the 'qualifying body'. The local planning authority (LPA) has a statutory duty under Schedule 4B of the Town and Country Planning Act 1990 to support the Parish Council in the preparation of the plan (referred to as the duty to support). This requires the LPA to give advice or assistance, where appropriate, to facilitate the preparation of the Neighbourhood Plan. The stages in preparation of the BPNP that have taken place are:

Stage 1: Defining the Neighbourhood Area

Stage 2: Preparing the Plan

Stage 3: Pre-submission publicity and consultation

3.3 In terms of stage 1, West Lancashire Borough Council Cabinet approved the designated Burscough neighbourhood area on 11 November 2014. This area covers Burscough Parish which comprises Burscough West and Burscough East wards in entirety and part of Scarisbrick ward. The Parish Council then worked on the preparation of the BPNP (stage 2) which included information gathering, developing proposals, engaging with those in the area, and determining whether the plan is likely to have significant environmental effects. Officers of the Borough Council have met with representatives of the Parish Council and given advice in writing in relation to the content of drafts of the Neighbourhood Plan and the evidence base used to inform it as part of the 'duty to support'. The Neighbourhood Plan subsequently reached stage 3 pre-submission publicity and consultation with a 6 week public consultation on a draft of it taking place between 11 August and 6 October 2017. The Council provided a formal response to the content of this draft version of the Neighbourhood Plan; that response was subject to endorsement by Cabinet (report of 12 September 2017) and by Overview and Scrutiny Committee (28 September 2017). The report to Cabinet provided detailed information in relation to the content of the draft Neighbourhood Plan and legislative and procedural background which is consequently not repeated here.

3.4 In conjunction with their appointed consultant, the Parish Council subsequently considered all responses received during the public consultation on the draft BPNP, have amended it as a result and have also prepared additional supporting

documentation. This has enabled the Parish Council to move on to stage 4 in the plan preparation process whereby they have submitted it to the local planning authority. This corresponds to regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and importantly the responsibility for progressing the BPNP at this point and future stages now rests with the Borough Council. Those subsequent stages in preparation are as follows:

Stage 5: Independent Examination

Stage 6: Referendum

Stage 7: "Making" the Neighbourhood Plan

- 3.5 It is important to note that once a neighbourhood plan is completed and brought into force it becomes part of the Development Plan for the area it covers, along with the Local Plan, meaning that it would be used in the determination of planning applications in that area and to direct where future development takes place.
- 3.6 Further details in relation to stages 5-7 are given under Section 5 'Next Steps' of this report including the Borough Council's responsibilities for progressing the Neighbourhood Plan. Stage 4 is dealt with immediately below.

4.0 THE SUBMISSION NEIGHBOURHOOD PLAN

- 4.1 The Submission Burscough Parish Neighbourhood Plan covers the time period to 2027, which corresponds with the end of the adopted West Lancashire Local Plan Development Plan Document (DPD) plan period. The BPNP identifies issues and considerations for the neighbourhood area, a vision and objectives, a strategy, a key diagram, set of policies and sections dealing with plan delivery and implementation and plan monitoring and review. General conformity of neighbourhood plan policies with strategic and non-strategic policies of the adopted West Lancashire Local Plan are also considered. The Submission BPNP contains 21 policies (a decrease of 3 compared to the previous draft) which compares to the adopted West Lancashire Local Plan DPD's 26. Policies are grouped within 9 different topic areas which are: infrastructure, housing, employment, retail, visitor economy, transport, environment, design and community with a full list of them being contained at Appendix A.
- 4.2 The previous Cabinet report of 12 September 2017 identified concerns in terms of the content of some of the policies contained in the previous draft of the BPNP and this then formed the Borough Council's formal response to that earlier draft. Burscough Parish Council have sought to address those concerns, most pertinently in terms of revising those policies relating to infrastructure.
- 4.3 The Parish Council submitted the Neighbourhood Plan to the Borough Council under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 by correspondence dated 18 September 2018. This also contained other supporting documentation, including a consultation statement, a basic conditions statement and a selection of supporting evidence. It is now the Borough Council's responsibility to undertake a compliance check of the Submission BPNP in relation to relevant legislation and requirements. The compliance check is procedural in nature and primarily focuses on legal requirements and not upon

policy content of the document. Regulation 15 requires that the following documentation is included as part of the submission:

- a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- a consultation statement;
- the neighbourhood development plan;
- a basic conditions statement (see section 5 below for further explanation); and, in this particular instance,
- an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations (Sustainability Appraisal);

Any supporting or evidence base documents should also be provided. The submission documents are to be regarded as what the Parish Council consider to be the final version of the BPNP as further changes to it or the provision of additional supporting evidence can only be undertaken at the request of an independently appointed examiner.

- 4.4 If the Plan satisfies the compliance check, the Borough Council must then publicise it under regulation 16 of the 2012 Regulations for a minimum of 6 weeks and invite representations, notify consultation bodies referred to in the consultation statement and (with agreement of the Parish Council) appoint an independent examiner. There is also an opportunity for the Borough Council to formally respond again in relation to the policy content of the BPNP and this would then be considered by an examiner at independent examination. This Cabinet report therefore seeks authorisation to undertake public consultation on the Submission Neighbourhood Plan and for delegated authority to be given to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, to make the Borough Council's formal response to the Neighbourhood Plan. It also seeks authorisation for subsequent submission of the Plan for examination under regulation 17 of the 2012 Regulations and appointment of an independent examiner. The reason for this request to Cabinet is that under both regulation 16 (publicising a plan proposal) and regulation 17 (submission of a plan proposal to examination) a local planning authority must undertake the required actions "As soon as possible...".

5.0 NEXT STEPS

- 5.1 The Borough Council has recently commenced public consultation upon the West Lancashire Local Plan Review Preferred Options between 12 October and 13 December 2018 inclusive. In order to avoid overlapping public consultation upon planning policy documents, should the Burscough Parish Neighbourhood Plan meet the compliance check, it is therefore considered that public consultation upon the BPNP under regulation 16 should commence after 13 December at a date to be decided.
- 5.2 Importantly, the BPNP has been prepared in accordance with the National Planning Policy Framework (NPPF) 2012 which was replaced by a new NPPF in July 2018. Paragraph 214 of NPPF 2018 states that the policies of the NPPF 2012 will apply for examining plans where those plans have been submitted on

or before 24 January 2019. Submitted in the case of neighbourhood plans means where a qualifying body (the Parish Council in this instance) submits a plan proposal to the local planning authority in accordance with regulation 15 of the 2012 Regulations. A decision to commence public consultation on the BPNP after the closure of public consultation upon the West Lancashire Local Plan Review Preferred Options would not therefore adversely affect examination of the BPNP in relation to NPPF 2012.

- 5.3 The earlier Burscough Parish Neighbourhood Plan Cabinet Report of 12 September 2017 dealt in detail with the future stages in preparing the Plan so are not repeated extensively here. However, for information the main components of those future stages 5-7 are as follows:

Stage 5: Independent Examination

- 5.4 The Borough Council submits the neighbourhood plan to the examiner for examination which can take place by either written representations (most likely) or hearing. The examiner considers the Plan and then issues a report to the Parish Council and to the Borough Council, who must publish it. The Borough Council must consider the examiner's report, and consider whether the Plan (as amended by the examiner) meets legal requirements and the basic conditions and then produce a Decision Statement within 5 weeks of receipt of the examiner's report.

- 5.5 The legal requirements that the plan has to meet are:

- It is being submitted by a qualifying body.
- It sets out policies in relation to the development and use of land in the whole or any part of the neighbourhood area.
- It states the time period in which it is to have effect.
- The policies in the plan do not relate to excluded development, for example minerals and waste or nationally significant infrastructure projects.
- It does not relate to more than one neighbourhood area.

As discussed above, the basic conditions that the plan needs to meet are that it:

- Has regard to national policies and advice.
- Contributes to the achievement of sustainable development.
- Is in general conformity with the strategic policies contained in the development plan for the area of the authority.
- Does not breach, and is otherwise compatible with, EU obligations.
- Meets prescribed conditions and prescribed matters have been complied with. This means that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European designated habitats site or European Offshore Marine site.

- 5.6 In considering a neighbourhood plan the independent examiner has the option of making one of three recommendations:

- That the plan should proceed to referendum on the basis that it meets all of the legal requirements;
- That the plan should proceed to referendum if modified; or

- That the plan should not proceed to referendum on the basis that it does not meet all of the legal requirements.

5.7 If the examiner concludes that at this point the plan should proceed to referendum they must consider whether the area covered by the referendum should extend beyond the boundaries of the neighbourhood plan area.

5.8 A local planning authority has to have regard to a 'post-examination', 'unmade' neighbourhood plan as a material consideration in the determination of planning applications.

Stage 6: Referendum

5.9 West Lancashire Borough Council would have to make arrangements for a referendum to take place within 56 days of the Decision Statement being agreed and published, publicise the referendum and then polling would take place and a result declared. Those entitled to vote upon whether the 'making' (see below) of the plan should be supported are those entitled to vote in a local election and living in the neighbourhood area (or the extended referendum area as appropriate).

Stage 7: 'Making' the Neighbourhood Plan

5.10 If the majority of those who vote in a referendum are in favour of the draft neighbourhood plan then the plan must be 'made' (brought into legal force) by the Borough Council within 8 weeks of the date of the Referendum. Prior to a draft neighbourhood plan being 'made' after succeeding at referendum, it automatically forms part of the development plan, but it would not continue to do so if the Borough Council were to decide it should not be 'made'. There are limited circumstances where the Borough Council could decide not to make a neighbourhood plan.

5.11 Given that elements of stages 5 to 7 above are time sensitive a further Cabinet report requesting an additional scheme of delegation in relation to decision making for the BPNP will be produced in due course.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 A Strategic Environmental Assessment has been undertaken on the Submission BPNP which considers effects from the policies it contains. There is no statutory requirement to undertake a Sustainability Appraisal in this instance. However, in order to meet the 'basic conditions' it will need to be demonstrated that the Plan contributes to the achievement of sustainable development. There would be no significant impact on crime and disorder.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 The Borough Council's duty to support the preparation of the BPNP will have financial and staff resource implications which are unable to be precisely defined at present. A total grant of £25,000 of funding is potentially available to the local

authority from DCLG to enable fulfilling our statutory duty to support. However, £20,000 of this can only be claimed once a neighbourhood plan has been successfully examined and the date for a local referendum has been set. The Borough Council previously received the remaining £5,000 following the neighbourhood area designation in 2014.

- 7.2 Therefore, the Borough Council must first incur significant costs for public consultation and the examination, at risk, and can only claim the remaining £20,000 if the BPNP is successful at examination and proceeds to a referendum. In addition, while the £25,000 might ultimately cover the costs of public consultation and examination, it will not cover the costs of the Referendum or the officer resource utilised in supporting the preparation of the Plan. It is estimated that the Referendum (assuming it only covers the Parish of Burscough) would cost at least £18,000.
- 7.3 A further financial consideration is that, once a neighbourhood plan is 'made', 25% of any CIL income received from applications determined in the neighbourhood area after the Plan is made must be passed to the Parish Council, as opposed to the 15% that is currently passed to the Parish Council. Depending on the nature and size of applications that are granted after the Plan is made, this could mean a significant sum of CIL monies being redirected from strategic infrastructure (where funding decisions are made by the Borough Council) to local infrastructure in Burscough Parish (decided upon by the Parish Council).

8.0 RISK ASSESSMENT

- 8.1 Given that the decision being sought is to seek authorisation to undertake public consultation upon the Submission version BPNP (providing that it meets the required compliance check) and to seek delegated authority to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, for the Borough Council's response to the Submission version Burscough Parish Neighbourhood Plan and for subsequent submission of the Neighbourhood Plan for examination there are minimal initial risks.
- 8.2 However, there are clearly risks to the Borough Council associated with the BPNP related to the financial implications of its preparation (covered in section 7.0 above) and in relation to the possibility that even after an examination, certain policies or policy wording might be contained in the Neighbourhood Plan that the Borough Council may not be supportive of but which would then form part of the Development Plan for the Borough and have to be used in planning decisions related to applications in the Parish of Burscough. In a worst case scenario, there is a risk that certain policy wording may not be supported by the Borough Council, and the Borough Council has limited abilities to remove those policies after examination and may incur significant legal costs having to deal with those policies in decision making.

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

Appendix A – List of Burscough Parish Neighbourhood Plan policies

Appendix B – Equality Impact Assessment

APPENDIX A

LIST OF BURSCOUGH PARISH NEIGHBOURHOOD PLAN POLICIES

Infrastructure

BPI 1: Development and Infrastructure

BPI 2: Surface Water Drainage

BPI 3: Foul Water Drainage

BPI4: High Quality Communications Infrastructure

Housing

BPH1: New Residential Development

BPH 2: Housing Mix

Employment

BPE1: Burscough Industrial Estate

Retail

BPR1: Burscough Centre

BPR2: Lord Street Opportunity Area

Visitor Economy

BPVE1: Visitor Economy

Transport

BPT1: Transport and Development

BPT2: Environmental Improvement Corridors

BPT3: Car Parking

BPT4: Sustainable Transport Routes

Environment

BPEV1: Green Space

BPEV2: Local Heritage Assets

Design

BDP1: Design and Accessibility Principles

BPD2: Detailed Design Elements

BPD3: Microgeneration

Community

BPC1: Community Infrastructure

BPC2: Community Hub Opportunity Area

Equality Impact Assessment Form



Directorate: Development and Regeneration Services	Service: Strategic Planning & Implementation
Completed by: Neil Macfarlane	Date: 3/10/18
Subject Title: Burscough Parish Neighbourhood Plan Regulation 15 (plan proposals), 16 (publication of a plan proposal) and 17 (submission of a plan proposal to examination)	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes Burscough Parish Neighbourhood Plan
Is a service being designed, redesigned or cut back:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No. However, a budget will be required for future stages of producing the Neighbourhood Plan.
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):	Yes
Details of the matter under consideration:	To seek authorisation to undertake public consultation upon the Submission version Burscough Parish Neighbourhood Plan, providing that it meets the required compliance check. To seek delegated authority to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, for the Borough Council's response to the Submission version Burscough Parish Neighbourhood Plan and for subsequent submission of the Neighbourhood Plan for examination.
<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>

	Yes/No*
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 Burscough Parish Neighbourhood Plan will impact primarily upon those living or having an interest in land or property within the designated Burscough neighbourhood area (equivalent to Burscough Parish). The Neighbourhood Plan will inform decisions on planning applications for development in the neighbourhood area. These could potentially have direct impacts on the general public living, working, travelling, or spending leisure time in Burscough Parish.
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? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	No No No No No No No No No 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?	Previous engagement with the community and general public in relation to planning policy matters and consultation exercises across the Borough (for example for the Local Plan between 2008 and 2013) show that it tends to be those of a white-British ethnic background and those of older age groups who most actively engage in the process of preparing

	<p>planning policy. Completed equality questionnaires from those consultation exercises bear this out, but the limited number of such questionnaires completed does not provide sufficient statistical robustness to analyse and use this data meaningfully.</p> <p>Once "made", it is envisaged that the Burscough Parish Neighbourhood Plan will be used primarily by landowners / developers (i.e. commercial interested parties) seeking to submit a planning application, or by individual property owners in Burscough Parish. Such people can potentially be of any age, gender, disability (or otherwise), belief, sexual orientation and ethnic background.</p>
<p>What will the impact of the work being carried out be on usage/the stakeholders?</p>	<p>Undertaking public consultation upon the Submission version Burscough Parish Neighbourhood Plan will have no immediate impact on usage or stakeholders. The future "making" of the Neighbourhood Plan could potentially impact on a range of stakeholders, most notably landowners and their neighbours, as well as those who live in, work in, who travel through or spend leisure time in the Burscough Parish.</p>
<p>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?</p>	<p>The Burscough Parish Neighbourhood Plan is not a "service" as such. The planned public consultation is seeking views upon the content of the Submission version Neighbourhood Plan.</p>
<p>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?</p>	<p>At present no sources of data have been used to analyse the impact of the work being carried out on users / stakeholders with protected characteristics as this is a document that has not been produced by the Borough Council. The Borough Council's role in progressing the Neighbourhood Plan is primarily of a procedural nature. The extent to which the impact can be analysed will depend upon the collection of statistical data in relation to respondees by i) the Parish Council through the previous public consultation and ii) the Borough Council through the proposed public consultation on the Submission Plan.</p>
<p>If any further data/consultation is needed and is to be gathered, please specify:</p>	<p>Should be Burscough Parish Neighbourhood Plan satisfy the compliance check then this would be the final opportunity for the Council and stakeholders to respond to the content of it through public consultation. This will be followed by independent examination of the Neighbourhood Plan and a subsequent referendum to consider whether the Plan should be adopted as planning policy for the area.</p>

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)?	<p>As stated above, the future "making" of the Neighbourhood Plan could potentially be of relevance to, or affect, a range of stakeholders, most notably landowners and their neighbours, as well as those who live in, work in, who travel through or spend leisure time in the Burscough Parish.</p> <p>Such people could potentially be of any age, gender, disability (or otherwise), belief, sexual orientation and ethnic background, and there is no reason to assume that the implementation of the policy should have a disproportionate impact on any of the protected characteristic groups.</p>
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.).	There is no identified clear-cut negative impact on any particular protected characteristic as a result of the decision being sought.
What actions do you plan to take to address any other issues above?	No actions.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	This assessment should be reviewed by WLBC prior to the Council's response to the Submission version Burscough Parish Neighbourhood Plan being made in order to assess and influence the content of the Plan as appropriate.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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