

COUNCIL

HELD: Wednesday, 16 October 2019

Start: 7.30 pm

Finish: 9.05 pm

PRESENT:

Councillors:

T Aldridge (Deputy Mayor)

(In the Chair)

I Ashcroft

Mrs M Blake

A Blundell

R Cooper

V Cummins

I Davis

C Dereli

Mrs C Evans

S Evans

J Wilkie

Y Gagen

G Hodson

K Lockie

J Mee

K Mitchell

I Moran

P O'Neill

A Owens

A Pritchard

N Pryce-Roberts

A Sutton

D West

D Whittington

J Witter

A Yates

Mrs P Baybutt

T Blane

J Cairns

C Coughlan

S Currie

N Delaney

G Dowling

D Evans

J Finch

N Furey

J Gordon

G Johnson

Mrs J Marshall

M Mills

J Monaghan

M Nixon

D O'Toole

E Pope

I Rigby

Mrs D Stephenson

J Thompson

D Westley

K Wilkie

K Wright

Officers:

Kim Webber, Chief Executive

Jacqui Sinnott-Lacey, Interim Chief Operating Officer

John Harrison, Director of Development and Regeneration

Heidi McDougall, Corporate Director of Place & Community

Marc Taylor, Head of Finance, Procurement and Property Services

Terry Broderick, Borough Solicitor

Ian Gill, Head of Growth & Development Services

Aidan Manley, Development Surveyor

Jacky Denning, Member & Executive Services Manager

PRAYERS

The Mayor's Chaplain for the evening, Rev Canon Stuart Haynes, led Members and officers in prayer.

37 APOLOGIES

Apologies for absence were received on behalf of Councillors Devine, Mrs M Westley and Owen.

The Deputy Mayor advised that the Mayor was absent due to the death of a close family member and asked that some flowers be sent to her with the Council's condolences.

38 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Aldridge and O'Toole declared a non pecuniary interest in relation to Agenda Item 18(a) 'On-Street Parking In Ormskirk - Motion' as Members of Lancashire County Council (LCC) as did Councillors Coughlan and Gagen as employees of LCC, (but did not consider this was affected) and indicated that they would not participate in any detailed discussions which affected LCC.
2. Councillors Delaney, Nixon, West and J Wilkie (Tenant of a Council flat/house) Aldridge and Coughlan (Tenant of a Council garage) declared disclosable pecuniary interests in relation to item 9 'Council Housing Asset Management Strategy & Capital Programme Procurement Approach' 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).
3. Councillors Aldridge, Blane, Mee and Wright declared non-pecuniary interests in relation to item 9 "Council Housing Asset Management Strategy & Capital Programme Procurement Approach' 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.
4. Councillors Ashcroft, Baybutt, Blundell, Coughlan, Cummins, Delaney, Dereli, D Evans, S Evans, Finch, O'Toole, Pope, Pritchard, Thompson, Mrs M Westley, Witter (members of the Planning Committee) and Pryce-Roberts (as a substitute member of the Planning Committee) advised that in relation to item 18(a) 'On-Street Parking In Ormskirk Motion' that a planning application from Edge Hill for extended parking would be considered at tomorrow's Planning Committee meeting, and that they would approach any such planning applications as that proposed without a closed mind and that any views expressed by them in relation to this motion should not be seen as committing them as to how they may vote at the appropriate time.

39 **MINUTES**

RESOLVED: That the minutes of the meeting be approved as a correct record and signed by the Deputy Mayor.

40 **ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE**

The Deputy Mayor paid tribute to former Councillor Claire Cooper and thanked her for her service to the Council.

The Deputy Mayor announced that it was Kim Webber's, John Harrison's and Terry Broderick's last Council meeting as they would be leaving the Council after 89 years of combined service at West Lancashire, 20 years at West Lancashire for Kim, 40 years for John and 29 years for Terry and wished them well for the future as they leave the Council on 3 November.

The Deputy Mayor present Kim, John and Terry with a Shield and thanked them for their service to the Council.

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

The following Questions were received:

1. Damaged Wheelie Bins – Questions received from Councillor Jane Thompson

- "a. How many residential wheelie bins used for general waste; recyclates; or green waste have been damaged during the bin emptying/collection process and had to be replaced as a result since 1st October 2018? I believe new bins were bought 18 months ago by the Council that are not up to the same standard.*
- b. What is the total cost to the council of replacing the bins/lids damaged and replaced at a) above?*
- c. What is the total cost charged to residents of West Lancashire for replacing the bins damaged and replaced at a) above?*
- d. What steps the council has or will take to ensure that this problem does not continue to occur?*
- e. How many new bins have been reported damaged by the bin wagons and how many reported to customer services over the last year and a half?"*

2. Treasury Management Income – Questions received from Councillor David Whittington

- "a. *In percentage terms, how was the Treasury Management income in 2018/19 split between the GRA & the HRA?*
- b. *What were the percentages for 2017/18?*
- c. *Approximately what would be the percentages if all other factors remained the same, but the rate of return increased to, say, 3% per annum due to a change in our approach to risk when investing cash?*
- d. *Why do the percentages change with the amount of interest earned & how is the split calculated?*
- e. *Could the answers please be circulated to all councillors so that they can understand the effect on the GRA of the extra risk being taken when investing our cash?"*

The Leader advised that the responses to the questions raised would be provided following the meeting and published on the Council's website.

42 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 – Tuesday 2 July 2019
- B. Licensing & Appeals Committee – Tuesday 2 July 2019
- C. Chief Officers Committee – Thursday 18 July, Wednesday 14 August and Wednesday 18 September 2019
- D. Planning Committee – Thursday 25 July and 5 September 2019
- E. Audit & Governance Committee – Tuesday 30 July 2019
- F. Standards Committee – Tuesday 17 September 2019

43 PUBLIC SPACE PROTECTION ORDER RENEWAL

Consideration was given to the report of the Director of Leisure & Environment, as contained on pages 799 to 814 of the Book of Reports, which sought approval to undertake a consultation exercise in relation to renewing and amending the Council's existing Public Space Protection Order, which details numerous Dog

Control provisions for locations across the Borough.

- RESOLVED: A. That the proposed amendments to the Public Space Protection Order be approved for public consultation.
- B. That the results of the consultation be reported back to Council and consideration be given to the approval of a final Order.

44 **COUNCIL HOUSING ASSET MANAGEMENT STRATEGY & CAPITAL PROGRAMME PROCUREMENT APPROACH**

Consideration was given to the report of the Director of Housing & Inclusion, as contained on pages 815 to 838 of the Book of Reports, which sought approval of the newly developed Housing and Inclusion Asset Management Strategy (AMS) including an ability to enter into a 5 year contract(s) to deliver the capital investment programme commencing April 2021.

- RESOLVED: A. That the Housing Asset Management Strategy be approved and implemented.
- B. That the procurement of a 5 year contract to deliver the Housing and Inclusion Capital Investment Programme be approved.
- C. That further approval will be sought from Cabinet / Council should officers wish to utilise the contract extension options included within the contract.

45 **TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING 2019-20**

Consideration was given to the report of the Borough Treasurer, as contained on pages 839 to 846 of the Book of Reports, which detailed the Treasury Management operations in the year to date and to report on the Prudential Indicators for 2019/20, where available.

A Motion to approve the recommendations at 2.1 and 2.2 of the report was moved and seconded.

An Amendment to the Motion was moved and seconded as follows:

"B. That the terms of reference and delegation to the Strategic Asset Purchasing Committee be considered once the Commercial Property Strategy has been considered and approved by Council."

The Amendment to the Motion was accepted by the Mover and Seconder of the Motion as an alteration, with the consent of the meeting.

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

- RESOLVED: A. That the Prudential Indicators and Treasury Management activity in the year to date, including the funding provided to Tawd Valley

Developments Ltd, be noted.

- B. That the terms of reference and delegation to the Strategic Asset Purchasing Committee be considered once the Commercial Property Strategy has been considered and approved by Council.

46 **TAWD VALLEY DEVELOPMENTS LIMITED - OFFICER DIRECTOR APPOINTMENTS**

Consideration was given to the joint report of the Chief Executive and the Interim Chief Operating Officer (designate), as contained on pages 847 to 852 of the Book of Reports, which sought approval to proceed with the appointment/confirmation of replacement Officer Directors to the Board of Directors of Tawd Valley Developments Limited (TVD).

RESOLVED: A. That the Corporate Director of Transformation and Resources be appointed, and the Head of Finance, Procurement and Property Services be confirmed, as the Council's Directors, in replacement of the Director of Housing and Inclusion and Borough Treasurer, on Tawd Valley Developments Limited, with effect from 4 November 2019.

- B. That authority to agree future officer appointments to Tawd Valley Developments Limited be delegated to the Chief Operating Officer in consultation with the Leader of the Council and the Portfolio Holder for Resources and Transformation.

47 **OVERVIEW AND SCRUTINY ANNUAL REPORT 2018/19**

Consideration was given to the report of the Borough Solicitor, as contained on pages 853 to 868 of the Book of Reports, which presented the Overview and Scrutiny Annual Report 2018/19 detailing how Overview and Scrutiny is working at West Lancashire.

RESOLVED: That the Overview and Scrutiny Annual Report 2018/19, appended to the report, be noted and the Overview and Scrutiny Committees be commended on their work.

48 **APPOINTMENT OF AUDIT & GOVERNANCE COMMITTEE CHAIRMAN**

Consideration was given to the report of the Borough Solicitor, as contained on pages 869 to 870 of the Book of Reports, which sought to appoint the Chairman of the Audit and Governance Committee.

A Motion to appoint Councillor Neil Furey, was moved and seconded.

An Amendment to appoint Councillor Eddie Pope was moved and seconded.

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

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

RESOLVED: That Councillor Neil Furey, who is a Member of the Audit and Governance Committee, be appointed Chairman of the Audit and Governance Committee for the remainder of the 2019/20 Municipal Year.

49 **PUBLIC SPEAKING PROTOCOL**

This item was withdrawn.

50 **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.

51 **MART LANE HALL, BURSCOUGH**

Consideration was given to the joint report of the Director of Development & Regeneration and the Director of Leisure & Environment, as contained on pages 885 to 892 of the Book of Reports, which sought authority for the disposal of Mart Lane Hall, Burscough.

Members discussed the planning restrictions associated with the site and surrounding land and establishing a suitable scheme for control of the development, including the seeking of contractual arrangements in relation to the disposal of the site in question, to secure delivery of the football club facilities.

RESOLVED: That the Director of Development and Regeneration be authorised to take all necessary steps and enter into all necessary documentation to agree terms and dispose of Mart Lane Hall, Burscough (shown hatched at Appendix A to the report) at the best price reasonably obtainable.

52 **SKELMERSDALE TOWN CENTRE REDEVELOPMENT**

Consideration was given to the report of the Director of Development & Regeneration, as contained on pages 893 to 922 of the Book of Report, which provided an update on progress, together with the current issues and risks on the proposed first phase retail development at Skelmersdale Town Centre and to sought agreement to continue to move forward with the project.

RESOLVED: A. That the report and decision of Cabinet be noted.

- B. That a further allocation of £100,000 be made from the Strategic Investment Reserve to cover additional legal and other miscellaneous project expenses.

53 MOTIONS

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

54 ON-STREET PARKING IN ORMSKIRK - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR A OWENS ON BEHALF OF OUR WEST LANCASHIRE GROUP

The following Altered Motion was moved and seconded, with the agreement of the meeting:

"This council notes with concern the instances of dangerous and illegal on-street car parking at certain times of the year in parts of Ormskirk and across West Lancashire.

This council also supports the principle of resisting inappropriate development in the green belt and, wherever possible, initiatives that will lead to a reduction in car journeys to reduce carbon emissions, air pollution and traffic congestion.

This council requests that senior representatives of West Lancashire Borough Council, Lancashire County Council and other local partners and stakeholders including Edge Hill University meet to discuss long term solutions to the problem of extensive and often dangerous and illegal on-street car parking across West Lancashire, including close to Edge Hill University and that the ideas that arise from the meeting(s) are taken forward through the appropriate channels including the Local Plan Review Cabinet Working Group, for implementation by the relevant agencies responsible.

To this end, the council instructs the Chief Executive to write to the Chief Executive of Lancashire County Council, the Vice Chancellor of Edge Hill University, Lancashire Constabulary and other local partners and stakeholders requesting such a meeting/meetings."

- RESOLVED:**
- A. That this council notes with concern the instances of dangerous and illegal on-street car parking at certain times of the year in parts of Ormskirk and across West Lancashire.
 - B. That this council also supports the principle of resisting inappropriate development in the green belt and, wherever possible, initiatives that will lead to a reduction in car journeys to reduce carbon emissions, air pollution and traffic congestion.
 - C. That this council requests that senior representatives of West Lancashire Borough Council, Lancashire County Council and other local partners and stakeholders, including Edge Hill University, meet to discuss long term solutions to the problem of

extensive and often dangerous and illegal on-street car parking across West Lancashire, including close to Edge Hill University and that the ideas that arise from the meeting(s) are taken forward through the appropriate channels including the Local Plan Review Cabinet Working Group, for implementation by the relevant agencies responsible.

- D. That the Chief Executive be instructed to write to the Chief Executive of Lancashire County Council, the Vice Chancellor of Edge Hill University, Lancashire Constabulary and other local partners and stakeholders requesting such a meeting/meetings.

55 **NEW HOUSING CAR PARKING PROVISION AND DOMESTIC GARAGE SIZE - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR D EVANS ON BEHALF OF THE LABOUR GROUP**

The following Motion was moved and seconded:

"This Council believes that the needs of people with disabilities need to be taken into account in the design of new houses including parking provision.

This Council resolves to review our current car parking standards including the size and number of car parking spaces per dwelling including the internal size of domestic garages as part of a future Local Plan review. This review will form part of a wider review of Council planning policy relating to the design of houses and accessibility."

- RESOLVED:
- A. That this Council believes that the needs of people with disabilities need to be taken into account in the design of new houses including parking provision.
 - B. That this Council resolves to review our current car parking standards including the size and number of car parking spaces per dwelling including the internal size of domestic garages as part of a future Local Plan review. This review will form part of a wider review of Council planning policy relating to the design of houses and accessibility.

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THE MAYOR