

COUNCIL

HELD: Wednesday, 22 July 2020

Start: 7.30 pm

Finish: 9.45 pm

PRESENT:

Councillor: T Aldridge (Mayor)

M Nixon (Deputy Mayor)

Councillors:

I Ashcroft

Mrs P Baybutt

Mrs M Blake

T Blane

A Blundell

J Cairns

R Cooper

C Coughlan

V Cummins

S Currie

I Davis

C Dereli

N Delaney

T Devine

G Dowling

Mrs C Evans

D Evans

S Evans

J Finch

S Gregson

N Furey

Y Gagen

J Gordon

G Hodson

G Johnson

K Lockie

Mrs J Marshall

J Mee

M Mills

K Mitchell

J Monaghan

I Moran

P O'Neill

D O'Toole

G Owen

A Owens

E Pope

A Pritchard

I Rigby

N Pryce-Roberts

Mrs D Stephenson

A Sutton

J Thompson

D West

D Westley

Mrs M Westley

D Whittington

J Wilkie

K Wilkie

J Witter

K Wright

A Yates

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer

Heidi McDougall, Corporate Director of Place & Community

Chris Twomey, Corporate Director of Transformation & Resources

Marc Taylor, Head of Finance, Procurement and Commercial Services

Ian Gill, Head of Growth & Development Services

Simon Burnett, Head of Wellbeing & Leisure Services

Michelle Williams, Head of Environmental Services

Matt Jones, Legal & Democratic Services Manager

Sharon Lewis, Head of Human Resources and Organisational Development

James Crowley - Leisure Project Development Manager, Leisure Project Development Manager

Thomas Lynan, Admin and Electoral Services Manager

Jacky Denning, Democratic Services Manager

Jill Ryan, Member Services Officer

10 PRAYERS

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

11 APOLOGIES

There were no apologies for absence.

12 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Aldridge and O'Toole declared a non pecuniary interest in relation to Agenda Item 8 'Update to the Community Infrastructure Levy and Section 106 Governance and Expenditure Framework' and 12 'Council Plan Annual Report 2019/20' as Members of Lancashire County Council (LCC) as did Councillors Coughlan and Gagen as employees of LCC, and indicated that they would not participate in any detailed discussions which affected LCC.
2. Councillors Ashcroft, Mrs Blake, Blane, Dereli, Gordon, Lockie, Mrs Marshall, Mee, Moran, Owen, Pope, Sutton and Whittington declared a non pecuniary interest in relation to Agenda Item 8 'Update to the Community Infrastructure Levy and Section 106 Governance and Expenditure Framework' and 12 'Council Plan Annual Report 2019/20' in relation to Parish Council matters in view of their membership of a Parish Council and indicated they would not participate in any detailed discussions which affected those bodies specifically.
3. Councillor Coughlan declared a pecuniary interest in relation to Agenda Item 16 'Leisure Contract Extension - Short Term Measures in Response to Covid 19' in respect of his appointment to West Lancashire Community Leisure.
4. Councillor Dowling declared a non-pecuniary interest in relation to agenda item 14(a) 'Motion - Fair Funding for Lancashire Constabulary' as a member appointed to the Police and Crime Panel, as did Councillor Baybutt as her son is a police officer in Lancashire Constabulary.

13 MINUTES

The minutes of the meetings of Council held on 26 February and 24 June 2020 were received as a correct record and signed by the Mayor.

14 ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF OPERATING OFFICER

There were no announcements

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

There were no items under this heading.

16 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) Planning Committee held on Thursday, 19 March 2020
- (b) Planning Committee held on Thursday, 23 April 2020
- (c) Planning Committee held on Thursday 21 May 2020
- (d) Licensing & Appeals Committee held on Tuesday 2 June 2020
- (e) Planning Committee held on Thursday 18 June 2020

17 UPDATE TO THE COMMUNITY INFRASTRUCTURE LEVY AND SECTION 106 GOVERNANCE AND EXPENDITURE FRAMEWORK

Consideration was given to the report of the Corporate Director of Place and Community, as contained on pages 87 to 132 of the Book of Reports, which provided an update to the Community Infrastructure Levy (CIL) and Section 106 Governance and Expenditure Framework that had been prepared to respond to Government amendments to the CIL Regulations (2019), to reflect Cabinet decisions made since the adoption of the original Governance Framework and as a result of a best practice review of operations designed to ensure that the framework remains the most appropriate and effective approach for CIL and S106 expenditure.

A Motion that had been circulated prior to the meeting was moved and seconded.

A vote was taken on the Motion, which was CARRIED

RESOLVED: A. That the updated Community Infrastructure Levy and Section 106 Governance and Expenditure Framework, as attached at Appendix A to the report, be adopted with immediate effect, subject to:

- (i) An amendment of paragraphs 6.19 – 6.21 of the Governance and Expenditure Framework, to increase the amount of strategic CIL which can be allocated to smaller-scale projects each year through the CIL Funding Programme to £200,000.
- (ii) The removal of the word "(annually)" from paragraph 4.2 of the Appendix '(Update to the) Governance Framework for Community Infrastructure Levy and Section 106 Expenditure – June 2020'

B. That authority is given to the Corporate Director of Place and Community, in consultation with the relevant Portfolio Holder, to make any minor final amendments to the document, prior to publication.

18 **WEST LANCASHIRE ELECTORAL REVIEW - ELECTORAL CYCLE**

Consideration was given to the report of the Corporate Director of Transformation & Resources, as contained on pages 133 to 140 of the Book of Reports, which advised on the recommendations of the Electoral Review Working Group in respect of its consideration of potential changes to the electoral cycle from elections by thirds to whole Council elections and set out the statutory process for making a change, including the required consultation arrangements that would be required prior to any formal decision being taken by the Council to change.

A motion to approve the recommendations at paragraph 2.1 of the report, was moved and seconded.

An Amendment to the Motion, circulated prior to the meeting, was moved and seconded.

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

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

RESOLVED: That taking into account the recommendation of the Electoral Review Working Group, the Council's electoral cycle should remain as elections by thirds, rather than whole Council elections every four years.

(Note: Councillor West arrived during consideration of this item.)

19 **FINANCE UPDATE**

Consideration was given to the joint report of the Chief Operating Officer and Head of Finance, Procurement and Commercial Property, as contained on pages 141 to 152 of the Book of Reports, which provided a summary of the revenue outturn position for the 2019/20 financial year, an assessment of the impact of the coronavirus on the Council's finances, and considered updates to the Housing

capital programme and to the business plan for the Council's Development Company and associated actions.

A Motion circulated prior to the meeting, was moved and seconded.

An Amendment to the Motion, circulated prior to the meeting, was moved and seconded.

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

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

- RESOLVED:
- A. That the revenue outturn position for 2019/20 be noted and the proposed budget allocations set out in paragraphs 5.5 and 6.2 of the report be approved.
 - B. That the estimated financial impact of the coronavirus in 2020/21 be noted and kept under review during the current financial year.
 - C. That the proposed amendments to the HRA capital investment programme, the TVDL business plan, and the associated actions set out in section 10 of the report be approved.)

- D. That it be noted that the Leader has established the Tawd Valley Developments Shareholders Cabinet Working Group with the following terms of reference and membership:

Tawd Valley Developments Shareholders Cabinet Working Group

Membership

(7 Members - 4 Lab 2 Con 1 OWL)

*Labour: (Chairman) Councillor I Moran
 (Vice Chairman) Councillor A Yates
 Councillors J Wilkie and*

Conservative: Councillors and

Our West Lancs: Councillor

(Membership to include the Leader, Portfolio Holders for Transformation & Resources and Housing & Landlord Services.)

Functions

(a) To oversee and monitor the delivery of the Business Plan for the Tawd Valley Development Company and consider opportunities identified by the Board for future projects.

(b) To act as the consultee and provide recommendations to the Chief Operating Officer on the exercise of her

delegation to determine all matters, as the Shareholder for the Tawd Valley Development Company, on behalf of the Council.

And accordingly, the existing delegation to the Chief Operating Officer set out in 'Constitution 4.2A: Scheme of Delegation to Chief Officers, be amended to read:

"31. That the Chief Operating Officer, In consultation with the Tawd Valley Developments Shareholders Cabinet Working Group, be authorised to determine all matters, as the Shareholder for Tawd Valley Development Company, on behalf of the Council."

20 REVIEW OF THE COMMERCIAL PROPERTY PORTFOLIO

Consideration was given to the Corporate Director of Transformation & Resources, as contained on pages 153 to 196 of the Book of Reports, which set out details of a review of the Council's existing Commercial Property Portfolio and advised on current performance and indicating future trends, demand and investment needs, including the further action that will be required to successfully manage the portfolio in the medium to longer term.

The report also set out the current statutory framework and background context which councils seeking to grow their commercial property portfolios need to consider, and proposed an "Investing in West Lancashire - Commercial Property Strategy".

A Motion circulated prior to the meeting, was moved and seconded.

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

- RESOLVED:
- A. That the contents of this report, including the future actions required, be noted.
 - B. That the "Investing in West Lancashire - Commercial Property Strategy", set out in Appendix 3 to the report, be approved, subject to the following:
 - (i) Paragraph 4.11 The maximum gross rental income that is derived from any one property within the entire portfolio will be set at 20% of total rental exposure. If the maximum gross rental income that is derived from any one tenant within the entire portfolio is to exceed 12.5% of total rental exposure, this will be subject to review by the Strategic Asset Purchasing Committee.
 - (ii) That paragraph 5.12 be removed.
 - C. That the terms of reference for the Strategic Asset Purchasing Committee be updated to include the following function:

"To approve commercial property investments with a value of

up to £5m in accordance with the Investing in West Lancashire - Commercial Property Strategy”.

21 COUNCIL PLAN ANNUAL REPORT 2019/20

Consideration was given to the report of the Corporate Director of Transformation and Resources, as contained on pages 197 to 230 of the Book of Reports, which presented the Council Plan Annual Report 2019/20.

- RESOLVED:
- A. That the Council Plan Annual Report 2019/20, attached at Appendix 1 to the report, be approved.
 - B. That authority is given to the Corporate Director of Transformation and Resources in consultation with the relevant Portfolio Holder to make any minor final amendments to the document, prior to publication.

22 TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR PERFORMANCE 2019-20

Consideration was given to the report of the Head of Finance, Procurement and Commercial Property, as contained on pages 231 to 238 of the Book of Reports, which advised of the Treasury Management performance and Prudential Indicators for the year ended 31 March 2020.

RESOLVED: That the performance for the 2019-20 financial year be noted.

23 MOTIONS

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

24 FAIR FUNDING FOR LANCASHIRE CONSTABULARY - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR COUGHLAN ON BEHALF OF THE LABOUR GROUP

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

“This council calls for fair funding for Lancashire Constabulary and the return of the numbers of police officers that Lancashire has lost since 2010.

This council notes that Lancashire Constabulary has seen amongst the highest level of cuts of any police force in the country with a reduction of 753 police officers. That cuts have consequences and this has meant that Lancashire has seen an increase in violent crime, knife crime, county lines (drug dealing) and even homicides. By contrast, many forces in the south of England have seen no impact from austerity. Surrey, for example, has had a reduction of just 8 police officers (government figures) since 2010 and yet will receive 78 back this year. At the same time Lancashire will be allocated additional funding for just 153 police officers. This year Surrey will have 70 more police officers than in 2010 whilst in Lancashire we

will still have 600 fewer. This is unfair, unjust and simply unacceptable. Lancashire is not a second class county and we should not be treated as one.

This council wholeheartedly supports the campaign of our Police & Crime Commissioner to get fair funding for Lancashire Police and our Bobbies back on the streets of Lancashire, not more in leafy Surrey!!

This Council resolves that the Leader and relevant portfolio holder write formally to the Home Secretary to confirm our support for the Police and Crime Commissioner's calls for increased funding for the provision of police officers here in West Lancashire and across Lancashire Constabulary, and write to the PCC to confirm our support to him also."

An Amendment to the Motion was moved and seconded.

A vote was taken on the Amendment, which was LOST

During consideration of the Altered Motion, agreement to the removal of the word "leafy" was accepted by the mover, the seconder and with the agreement of the meeting.

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

- RESOLVED:
- A. That this council calls for fair funding for Lancashire Constabulary and the return of the numbers of police officers that Lancashire has lost since 2010.
 - B. That this council notes that Lancashire Constabulary has seen amongst the highest level of cuts of any police force in the country with a reduction of 753 police officers. That cuts have consequences and this has meant that Lancashire has seen an increase in violent crime, knife crime, county lines (drug dealing) and even homicides. By contrast, many forces in the south of England have seen no impact from austerity. Surrey, for example, has had a reduction of just 8 police officers (government figures) since 2010 and yet will receive 78 back this year. At the same time Lancashire will be allocated additional funding for just 153 police officers. This year Surrey will have 70 more police officers than in 2010 whilst in Lancashire we will still have 600 fewer. This is unfair, unjust and simply unacceptable. Lancashire is not a second class county and we should not be treated as one.
 - C. That this council wholeheartedly supports the campaign of our Police & Crime Commissioner to get fair funding for Lancashire Police and our Bobbies back on the streets of Lancashire, not more in Surrey!!
 - D. That the Leader and relevant portfolio holder write formally to the Home Secretary to confirm our support for the Police and

Crime Commissioner's (PCC) calls for increased funding for the provision of police officers here in West Lancashire and across Lancashire Constabulary, and write to the PCC to confirm our support to him also.

25 **APPRENTICESHIPS - MOTION FROM CLLR ADRIAN OWENS ON BEHALF OF THE OUR WEST LANCASHIRE GROUP**

"Council notes that this Council is increasing the number of apprenticeships offered within the organisation and that a number of apprenticeships have been started in recent months or are scheduled to start shortly and this is to be warmly welcomed.

However, council further notes with concern that the effects of the Covid-19 pandemic on the employment prospects of young people have been very negative. Youth charity, Impetus point out:

- That in June 2020 twice as many young people are now claiming unemployment benefits compared to March 2020, with 13% of the youth labour force now claiming benefits.
- That this summer, a further 500,000 young people will leave education and try to enter the labour market.
- Young people are 2.5 times as likely to work in shut-down sectors, accounting for 30% of all 18-24 year olds. This has meant that one-third of 18-24 year olds – excluding students – have either lost their jobs or been furloughed. That's double the rate of prime age adults.
- 9% of non-full-time students have lost their main job since COVID-19 hit – three times higher than the average figure.

Therefore, Council resolves to:

- Create additional new 2-year Level 3 apprenticeships directed at the 18-25 year old age range. These apprenticeships to be additional to those already planned by the council and agrees to provide £100,000 from GRA reserves and £100,000 from HRA reserves to fund these additional apprenticeship roles.
- Use the commitment to apprenticeships for young people that these additional apprenticeships demonstrate to engage with the wider business community in West Lancashire to encourage greater provision of apprenticeships for young people in West Lancashire during 2020/21."

An Amendment to the Motion, circulated prior to the meeting, was moved and seconded.

A vote was taken on the Amendment, which was CARRIED and became the Substantive Motion.

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

RESOLVED: A. That it be noted that this Council is increasing the number of apprenticeships offered within the organisation and that a number of apprenticeships have been started in recent months or are scheduled to start shortly and this is to be warmly welcomed. That this Labour run council has a strong record of action when it

comes to creating opportunities within the council and working with employers large and small across the borough and education providers, including West Lancashire College and that this action has resulted in the creation of 33 meaningful apprenticeships within the Council (25 new starts since 1 April 2017) and this doesn't include those apprenticeships created through our contractor partners in housing services.

- B. That it be noted with concern that the effects of the Covid-19 pandemic on the employment prospects of young people have been very negative. Youth charity, Impetus point out:
- That in June 2020 twice as many young people are now claiming unemployment benefits compared to March 2020, with 13% of the youth labour force now claiming benefits.
 - That this summer, a further 500,000 young people will leave education and try to enter the labour market.
 - Young people are 2.5 times as likely to work in shut-down sectors, accounting for 30% of all 18-24 year olds. This has meant that one-third of 18-24 year olds – excluding students – have either lost their jobs or been furloughed. That's double the rate of prime age adults.
 - 9% of non-full-time students have lost their main job since COVID-19 hit – three times higher than the average figure.
- C. That this council welcomes the announcement by the Chancellor on 8 July that HM Treasury will provide £2 billion under the Kickstart Scheme specifically targeted to support the creation of opportunities for those seeking work, in particular for those in the 16-25 year old age group. As the Kickstart Scheme is based on Labour's successful Future Jobs Fund, it should help many young people to access work. At this time no detail has been given on how the scheme(s) will work particularly within local authorities. There is also the uncertainty of Council's financial position due to the COVID-19 pandemic and the lack of proper funding from central government.
- D. That this council resolves to:
- 1) Use the commitment from Government to provide support for those seeking work, including the creation of apprenticeships for young people, to continue to engage in providing meaningful apprenticeship schemes in the council in a prudent and financially sustainable manner.
 - 2) Continue to work with the wider business community in West Lancashire to encourage greater provision of apprenticeships.
 - 3) Write to the Chancellor, The Right Hon Rishi Sunak MP and

Minister for Apprenticeships and Skills, The Hon Michelle Keegan MP calling on the Government to provide funding in support of apprenticeship schemes beyond 2021.

- 4) Bring a report back to the October 2020 Council meeting on a plan to if possible recruit more apprentices taking into account our financial position and having fully received and understood the government's new policies/directives on apprenticeships.

26 **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 paragraphs 1, 2 & 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.

27 **LEISURE CONTRACT EXTENSION - SHORT TERM MEASURES IN RESPONSE TO COVID 19**

Consideration was given to the report of the Corporate Director of Place and Communities, as contained on pages 239 – 252 of the Book of Reports, which provided an update on the current position in relation to the Leisure Contract as a consequence of COVID-19 and sought approval to the proposed approach for the next nine months (July-March 2020)

RESOLVED: That the decision of Cabinet in relation to recommendations 2.1 and 2.2 of the report be noted and endorsed and the financial and resource implications of an extension to the leisure contract between the Council, WLCLT and Serco to 31 March 2021, as set out at paragraph 7 of the report, be noted and approved.

28 **REVISED CHRISTMAS WORKING ARRANGEMENTS AND CHANGES TO THE HARMONISATION AND SINGLE STATUS DOCUMENT**

Consideration was given to the report of the Corporate Director of Transformation & Resources, as contained on pages 253 – 308 of the Book of Reports, which set out a revision of the terms and conditions of staff as detailed in the Harmonisation and Single Status Document to facilitate the more efficient delivery of services during the weeks around Christmas and New Year.

RESOLVED: A. That the proposed changes to the Harmonisation and Single Status Document July 2020, as presented at Appendix 1 to the report, be approved.

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- B. That the additional funding required to implement the changes outlined be approved.

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THE MAYOR