



Jacqui Sinnott-Lacey  
Chief Operating Officer

52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

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Tuesday, 8 December 2020

**TO: THE MAYOR AND COUNCILLORS**

Dear Councillor,

You are summoned to a meeting of the **COUNCIL** to be held on **SKYPE** on **WEDNESDAY, 16 DECEMBER 2020 at 7.30 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be "JS", written over a faint circular stamp.

Jacqui Sinnott-Lacey  
Chief Operating Officer

**AGENDA**  
**(Open to the Public)**

**PAGE(S)**

1. **PRAYERS**

2. **APOLOGIES**

3. **DECLARATIONS OF INTEREST**

If a member requires advice on Declarations of Interest, he/she is advised to contact the Legal and Democratic Services Manager 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.)

531 - 532

4. **MINUTES**  
To receive as a correct record, the minutes of the previous meeting held on Wednesday 14 October 2020. 533 - 540
5. **ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF OPERATING OFFICER**
6. **TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2**
7. **MINUTES OF COMMITTEES**  
To receive the minutes of the following meetings, to confirm, if appropriate, such of the minutes as require confirmation and to pass such resolutions as the Council may deem necessary:
  - a) Licensing & Appeals Committee - Tuesday, 6 October 2020 541 - 542
  - b) Planning Committee - Thursday, 15 October 2020 543 - 546
  - c) Planning Committee - Thursday, 12 November 2020 547 - 550
  - d) Planning Committee - Thursday, 3 December 2020 551 - 552
8. **HRA REVENUE & CAPITAL MID YEAR REVIEW**  
To consider the report of the Corporate Director of Place & Community. 553 - 568
9. **MID-YEAR GENERAL REVENUE ACCOUNT (GRA) FINANCIAL UPDATE 2020/2021** 569 - 574  
To consider the report of the Head of Finance, Procurement and Property Services.
10. **REVISED CAPITAL PROGRAMME** 575 - 586  
To consider the report of the Head of Finance, Procurement and Property Services.
11. **APPOINTMENT OF INDEPENDENT PERSON (STANDARDS COMMITTEE)** 587 - 590  
To consider the report of the Legal & Democratic Services Manager.
12. **EXECUTIVE DECISIONS - SPECIAL URGENCY** 591 - 594  
To consider the report of the Corporate Director of Transformation and Resources.
13. **MOTIONS**  
To consider the following Motions included on the agenda at the request of the Members indicated:
  - a) **Motion - Fireworks - Included on the agenda by Councillor Kate Mitchell**  
"This Council resolves to:
    - require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing

residents to take precautions for their animals and vulnerable people

- actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people—including the precautions that can be taken to mitigate risks
- write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- encourage local suppliers of fireworks to stock 'quieter' fireworks for public display"

**14. 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 item(s) of business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 & 4 (Individuals/Financial & Business Affairs/Labour Relations) of Part 1 of Schedule 12A to the Act and as, in all the circumstances of the case the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

**PART 2 - NOT OPEN TO THE PUBLIC**

**15. SHARED SERVICE REVIEW**

To consider the report of the Corporate Director of Transformation and Resources.

595 - 614

**We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.**

**MOBILE PHONES: These should be switched off or to 'silent' at all meetings.**

For further information, please contact:-  
Jacky Denning on 01695 585384  
Or email [jacky.denning@westlincs.gov.uk](mailto:jacky.denning@westlincs.gov.uk)



## **REMOTE MEETINGS – GUIDANCE**

**This guidance is designed to assist members when attending remote meetings.**

**The guidance should be read in conjunction with the Council's Remote Meetings Protocol and Procedures Rules**

### **General**

1. If members wish to speak on a particular item it will assist the smooth running of the remote meeting if they indicate to the Chairman their wish to speak in advance of the meeting.
2. Please join the meeting no later than 15 minutes before the start of the meeting to ensure that the technology is working correctly.
3. It is a requirement of the remote meetings regulations that any member participating in a remote meeting must be able to be heard (and if practicable also be seen) by all other members, officers and public speakers participating in the meeting and, in turn, be able to hear (and if practicable see) those persons.
4. It is also a requirement that the meeting be live broadcast and so any camera (video-feed) should show a non-descript background and members should take care to ensure that no exempt or confidential papers can be seen in the video-feed.
5. At the start of the meeting please ensure that your microphone is muted and your video feed (if available on your device) is paused. Please remember to unmute your microphone (and unpause your video feed if available) when invited to speak by the Chairman!
6. At the start of the meeting the Member Services Officer will read out which Members and Officers are present. The attendance of members will be recorded.

7. Please remember to mute your mic/pause your video feed when you're not talking.
8. Only speak when invited to by the Chair.
9. Please state your name before you make an address.
10. If you're referring to a specific page or slide mention the page or slide number.
11. In the event of failure of the live broadcast then the Chairman will immediately adjourn the meeting until such time as the live broadcast is restored.
12. In the event that a member's individual remote connection should fail, the Chairman will call a short adjournment to determine whether the connection can be re-established (either by video technology or telephone connection). If connection cannot be restored after a reasonable period of time then the presumption is that the meeting should continue, providing the meeting remains quorate.
13. If connection to a member is lost during discussion of an item of business at a regulatory meeting (planning and licensing committees) that member will not be able to vote on that item (unless that part of the discussion during which connection was lost is, in the view of the Chairman, capable of being repeated for the benefit of the member concerned).

### **Public speaking**

14. Any member of the public participating in a meeting remotely in exercise of their right to speak must be able to be heard (and if practicable also be seen) by members, officers and public speakers participating in the same item of business and, in turn, be able to hear (and if practicable see) those persons.
15. The Member Services Officer will mute the member of the public once they have spoken and remove them from the remote meeting on the instruction of the Chairman once the relevant item of business has been dealt with. Note: members of the public will be able to view/listen to the remainder of the meeting via the live broadcast.

## **Voting**

16. Unless a recorded vote is called by a member, the method of voting will be, at the discretion of the Chairman, by:
  - General assent by the meeting (where there is no dissent); or
  - By the Member Services Officer calling out the name of each member present with members stating "for", "against" or "abstain" to indicate their vote when their name is called. The Member Services Officer will then clearly state the result of the vote (to be confirmed by the Chairman)
17. Details of how members voted will not be minuted, unless a recorded vote is called for prior to the vote taking place.

## **Declarations of Interest**

18. Any member participating in a remote meeting who declares a disclosable pecuniary interest, or pecuniary interest that would normally require them to leave the room in which the meeting is taking place must leave the remote meeting. Their departure will be confirmed by the Member Services Officer who will invite the relevant member to re-join the meeting at the appropriate time.

## **Exclusion of the Press and Public**

19. There are times when council meetings are not open to the public when confidential, or "exempt" items (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. The Member Services Officer will ensure that there are no members of the public in remote attendance and the live broadcast is ended, once the exclusion has been agreed by the meeting for that item(s).
20. Every Member in remote attendance must ensure there are no other persons present in their remote location who are able to hear, see or record the proceedings (unless those such persons are also entitled to be so present). Members must declare to the meeting, if at any point during discussion of the item, this requirement is not met.

## 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"/>   | You cannot speak or vote and must withdraw unless you have also ticked 5 below  |
| 2. | I have a non-pecuniary interest.   | <input type="checkbox"/>   | You may speak and vote  |
| 3. | <p>I have a pecuniary interest <b>because</b></p> <p>it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) <b>and</b> 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</p> <p>or</p> <p>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) <b>and</b> 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</p>              | <input type="checkbox"/><br><br><br><br><br><br><br><input type="checkbox"/>   | <p>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</p><br><br><br><br><br><br><br><p>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</p>  |
| 4. | <p>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:</p> <p>(i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.</p> <p>(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.</p> <p>(iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.</p> <p>(iv) An allowance, payment or indemnity given to Members</p> <p>(v) Any ceremonial honour given to Members</p> <p>(vi) Setting Council tax or a precept under the LGFA 1992</p> | <input type="checkbox"/><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><input type="checkbox"/> | <p>You may speak and vote</p><br><br><br><br><br><br><br><p>You may speak and vote</p><br><br><br><br><br><br><br><p>You may speak and vote</p><br><br><br><br><br><br><br><p>You may speak and vote</p><br><br><br><br><br><br><br><p>You may speak and vote</p> |
| 5. | A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)   | <input type="checkbox"/>   | See the terms of the dispensation   |
| 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"/>   | You may speak but must leave the room once you have finished and cannot vote  |

**‘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—<br>(a) under which goods or services are to be provided or works are to be executed; and<br>(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)—<br>(a) the landlord is the relevant authority; and<br>(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—<br>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and<br>(b) either—<br>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or<br>(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.

# Agenda Item 4

## COUNCIL

**HELD: Wednesday, 14 October 2020**

Start: 7.30 pm

Finish: 8.42 pm

## PRESENT:

### Councillors:

|                        |                 |
|------------------------|-----------------|
| T Aldridge (Mayor)     |                 |
| M Nixon (Deputy Mayor) |                 |
| I Ashcroft             | Mrs P Baybutt   |
| Mrs M Blake            | T Blane         |
| A Blundell             | R Cooper        |
| C Coughlan             | V Cummins       |
| S Currie               | I Davis         |
| C Dereli               | N Delaney       |
| T Devine               | G Dowling       |
| D Evans                | S Evans         |
| J Finch                | S Gregson       |
| N Furey                | Y Gagen         |
| J Gordon               | G Johnson       |
| 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  
James Pierce, Head of Finance, Procurement and Commercial Services  
Fiona Graham, Head of Housing and Regulatory Services  
Matt Jones, Legal & Democratic Services Manager  
Sharon Lewis, Head of Human Resources and Organisational Development  
James Crowley, Leisure Project Development Manager  
Tracy Berry, Tenant Involvement Manager  
Danny Crangle, More Positive Together  
Jacky Denning, Democratic Services Manager  
Jill Ryan, Member Services/Civic Officer

**29 PRAYERS**

The Mayor's Chaplain was unavailable.

**30 APOLOGIES**

Apologies for absence were received on behalf of Councillors Mrs C Evans, G Hodson and K Lockie.

**31 DECLARATIONS OF INTEREST**

The following declarations were received:

1. Councillor Coughlan declared a pecuniary interest in relation to Agenda Item 17 Leisure Contract Options as a Consequence of Covid19' in respect of his appointment to West Lancashire Community Leisure.
2. Councillors Delaney, Devine, Owen, 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 11 'Housing Account - Revenue and Capital Outturn' 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, Sutton and Wright declared non-pecuniary interests in relation to item 11 'Housing Account - Revenue and Capital Outturn' as they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a pecuniary interest (as it could 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 Blane, Blundell, Curry, Mrs Marshall and Rigby declared a non-pecuniary interest in relation to agenda item 15(a) Housing Evictions - Motion 'as landlords, as did Councillor Furey as an employee of a housing association, Councillor Mrs Baybutt as a benefactor from a Property Management company and Councillor Davis, whose wife rents out agricultural land.

**32 MINUTES**

**RESOLVED:** The minutes of the meeting of Council held on 22 July 2020 were received as a correct record and signed by the Mayor.

**33 ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF OPERATING OFFICER**

The Mayor wished Father Mike Thompson all the best in his new appointment in the Isle of Man and congratulated Stella Connell of the Birchwood Centre and Margaret Huyton at Evermoor Hub for being awarded an OBE.

He advised that given the current Covid-19 pandemic, that he wouldn't be undertaking any visits or holding any charity events and expressed his heartfelt thoughts and prayers to all those that had been affected by the virus.

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

There were no items under this heading.

**35 MINUTES OF COMMITTEES**

Consideration was given to the minutes of the undermentioned meetings of the Committees shown, as contained on pages 359 to 380 of the Book of Reports.

RESOLVED That the minutes of the undermentioned meetings and any recommendations contained in them, be approved:

- (a) Planning Committee held on Thursday, 9 July 2020
- (b) Planning Committee held on Thursday, 16 July 2020
- (c) Audit & Governance Committee held on Tuesday, 28 July 2020
- (d) Planning Committee held on Thursday, 30 July 2020
- (e) Planning Committee held on Thursday, 10 September 2020
- (f) Standards Committee held on Tuesday, 15 September 2020

**36 COUNCIL VISION & PLAN 2020/21 – 2022/23**

Consideration was given to the report of the Corporate Director of Transformation and Resources, as contained on pages 381 to 416 of the Book of Reports, which provided an update on the results of the draft Council Plan consultation and sought approval of the amendments to the draft Council Plan.

RESOLVED: That the document attached at Appendix A to the report be approved and adopted as the "Council Plan 2020/21 – 2022/23".

(Note: Councillor Furey left the meeting during consideration of this item.)

37 **OUR PEOPLE STRATEGY 2020- 2023**

Consideration was given to the report of the Corporate Director of Transformation and Resources, as contained on pages 417 to 438 of the Book of Reports, which sought approval of the new Organisational Development Strategy for the Council called the "People Strategy for the period 2020 to 2023".

A revised Appendix 1 had been circulated, as contained on pages 485 to 496 of the Book of Reports.

- RESOLVED:
- A. That the People Strategy 2020- 2023 and Strategy on a Page, as attached at the revised Appendix 1 and 2 of the report, be approved.
  - B. That the Corporate Director for Transformation and Resources be given delegated authority to conduct an annual review and to update the People Strategy 2020 – 2023, as required, taking into account the views of the Corporate Consultative Group.

38 **OVERVIEW & SCRUTINY ANNUAL REPORT 2019/20**

Consideration was given to the report of the Corporate Director of Transformation and Resources, as contained on pages 439 to 440 and 497 - 510 of the Book of Reports, which presented the Overview and Scrutiny Annual Report 2019/20 and considered how Overview and Scrutiny is working at West Lancashire.

- RESOLVED: That the Overview and Scrutiny Annual Report 2019/20, attached as an appendix to the report, be noted and the Overview and Scrutiny Committees be commended on their work.

39 **HOUSING ACCOUNT - REVENUE AND CAPITAL OUTTURN**

Consideration was given to the report of the Corporate Director of Place and Community, as contained on pages 441 to 448 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) revenue and capital outturn positions for the 2019/20 financial year.

- RESOLVED:
- A. That the financial outturn position of the 2019/20 HRA and Capital Investment Programme be noted and that the budget allocations, set out in paragraphs 4.3 and 5.3 of the report, be approved.
  - B. That the expenditure highlighted in paragraph 5.4 of the report, be noted.
  - C. That the switching of funding from HRA borrowing to HRA revenue contributions, as detailed in paragraph 5.6 of the report, be noted.

40 **CAPITAL PROGRAMME OUTTURN**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Property, as contained on pages 449 to 458 of the Book of Reports, which provided a summary of the capital outturn position on the General Revenue Account (GRA) for the 2019/20 financial year

- RESOLVED:
- A. That the Capital outturn position be noted and the proposed Capital allocation, set out in Appendix 1 to the report, be approved.
  - B. That the Capital Slippage and significant variances, detailed in Appendix 2 to the report, be noted and approved.

(Note: Councillor Furey returned to the meeting during consideration of this item.)

41 **UPDATE OF KICKSTART PROGRAMME AND APPRENTICESHIPS**

Consideration was given to the joint report of the Corporate Director of Transformation & Resources and the Corporate Director of Place & Community, as contained on pages 459 to 474 of the Book of Reports, which following the request made at Council on 22 July 2020, provided an update on the progress made reviewing the Kickstart Programme launched by the Government and sought the release of pump prime monies associated with the support resources needed to establishment the scheme, including an update on plans for Apprenticeships within the Council and the work being undertaken with local businesses.

- RESOLVED:
- A. That the progress made in relation to the planning for the potential establishment of a Kickstart Programme within the Borough, the current work with local businesses in the Borough to encourage the take up of Apprenticeships and the update on Apprenticeships within the Council workforce, be noted.
  - B. That the release of a pump prime funding, as indicated in the report Financial and Resources Implications at paragraph 7, be approved, to enable the Council to submit an application to the Department for Work and Pensions, to become a Kickstart Programme intermediary provider and to enable the effective operation of the project, if the application is approved.
  - C. That the Corporate Director Place and Community, in consultation with the Portfolio Holder for Leisure, Health and Wellbeing and Human Resources, be given delegated authority to implement and operate the Kickstart Programme within the overall budget indicated.

42 **TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING 2020-21**

Consideration was given to the report of the Head of Finance, Procurement and

Commercial Property, as contained on pages 475 to 484 of the Book of Reports, which detailed the Treasury Management operations in the year to date and reported on the Prudential Indicators for 2020/21, where available.

**RESOLVED:** That the Prudential Indicators and Treasury Management activity in the year to date be noted.

43 **MOTIONS**

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

44 **HOUSING EVICTIONS - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR NICOLA PRYCE ROBERTS**

The following Motion was moved and seconded:

““The COVID-19 crisis has hit many in our communities disproportionately hard. The ban on eviction was due to end on 23rd August but was extended by four weeks. Those most at risk of eviction are people who have lost their jobs and income and now face the threat of losing their rented homes due to rent arrears. Citizen's advice estimate that 4 million people have fallen behind with rent, council tax or telecoms payments.

The housing charity Shelter advise that 322,000 private renters have fallen into areas since the public health crisis began with 174,000 already having been threatened with eviction by landlords or letting agents. The District Councils' Network warns that in total almost half a million - who spend over half their income on rent - could now be at risk of eviction. This includes 108,000 lone parents with children living with them and 100,000 young people aged between 16-24.

This council calls on the government to act, without delay, and extend the ban on eviction until Spring 2021 whilst simultaneously working on a scheme that would enable those with rent arrears to stay in their homes beyond that date."

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

**FOR:** Councillors: Aldridge, Cooper, Coughlan, Cummins, Delaney, Dereli, Devine, Dowling, D Evans, S Evans, Finch, Furey, Gagen, Gregson, Johnson, Mills, Mitchell, Monaghan, Moran, Nixon, O'Neill, Owen, Pritchard, Pryce-Roberts, West, J Wilkie, K Wilkie, Wright and Yates. (TWENTY NINE)

**AGAINST:** (NONE)

**ABSTENSIONS:** Councillors: Ashcroft, Mrs Baybutt, Mrs Blake, Blane, Blundell, Currie, Davis, Gordon, Mrs Marshall, Mee, O'Toole, Owens, Pope, Rigby, Stephenson, Sutton, Thompson, D Westley, Mrs Westley, Whittington and Witter (TWENTY ONE)

**RESOLVED:** That this Council calls on the government to act, without delay, and

extend the ban on eviction until Spring 2021 whilst simultaneously working on a scheme that would enable those with rent arrears to stay in their homes beyond that date.

**45 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.

**46 LEISURE CONTRACT OPTIONS AS A CONSEQUENCE OF COVID19**

Consideration was given to the report of the Corporate Director of Place and Community, as contained on pages 511 - 524 and 527 of the Book of Reports, which provided an update on the current Leisure Contract with West Lancashire Community Leisure Trust (WLCLT) and Serco and sought approval of the recommendations detailed in paragraph 3.

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

A vote was taken, the Motion was CARRIED.

**RESOLVED:** That the decision of Cabinet, set out in the Appendix to the report, be noted and the financial and resource implications as set out at paragraph 10 be approved, subject to further consideration by Cabinet prior to implementation of the recommendation set out at paragraph 7.6 of the report (Option A).

.....  
**THE MAYOR**



## LICENSING & APPEALS COMMITTEE

**HELD:** Tuesday, 6 October 2020

**Start:** 7.30 pm

**Finish:** 8.15 pm

### PRESENT:

Councillor: T Devine (Chairman)

|              |                           |           |
|--------------|---------------------------|-----------|
| Councillors: | N Delaney (Vice Chairman) | S Currie  |
|              | Mrs C Evans               | G Johnson |
|              | J Mee                     | M Mills   |
|              | J Monaghan                | P O'Neill |
|              | J Wilkie                  | J Witter  |

Officers:

Paul Charlson, Environmental Health Manager  
Samantha Jordan, Senior Licensing Officer  
Kay Lovelady, Principal Solicitor  
Andrew Smith, Legal Assistant  
Kirsty Breakell, Member Services / Civic Officer  
Jacky Denning, Democratic Services Manager

### 70 APOLOGIES

There were no apologies for absence received.

### 71 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillor G Hodson, and the appointment of Councillor J Wilkie for this meeting only, thereby giving effect to the wishes of the political groups.

### 72 URGENT BUSINESS

There were no urgent items of business.

### 73 DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

### 74 DECLARATION OF INTEREST

There were no declarations of interest.

### 75 MINUTES OF SUB - COMMITTEES OR WORKING GROUPS

There were no minutes to receive.

**76 MINUTES**

RESOLVED: That the minutes of the meeting held on 2 June 2020 be received as a correct record and signed by the Chairman.

**77 UPDATE TO LICENSING POLICY**

This item was adjourned to December 2020.

**78 EXCLUSION OF PRESS AND PUBLIC**

RESOLVED That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 2 (Identity of an individual) and Paragraph 7 (Criminal Matters) part 1 of Schedule 12A outweighs the public interest in disclosing the information.

**79 PRIVATE HIRE DRIVER - DETERMINATION OF EXISTING LICENCE:  
WK/000260348**

Members were asked to consider an existing Private Hire Driver Licence number WK/000260348, having regard to offences recorded against the Driver and the Driver's failure to declare the offences.

RESOLVED:

- A. Private Hire Driver Licence Number WK/000260348, should be warned that it was not acceptable under any circumstances to speed or generally breach driving laws and ask that he refresh his understanding of the Policy in particular in relation his duties as a driver and the provisions in respect of disclosure of convictions.
- B. The Licensing Authority should inform LCC that Private Hire Driver Licence Number WK/000260348, had 10 live penalty points on his licence.
- C. Private Hire Driver Licence Number WK/000260348, would also now be required to provide the Licensing Authority with proof from the DLVA (DVLA checker) of his driving convictions every six months from the date of the Committee for a total period of 2 years. Failure to do so will result in you being presented back to the Licensing and Appeals Committee.

.....  
**Chairman**

## PLANNING COMMITTEE

**HELD:** Thursday, 15 October 2020

Start: 7.00 p.m.,

Finish: 8.36 p.m.

### PRESENT:

Councillor: G Owen (Chairman)  
A Pritchard (Vice Chairman)

|              |               |            |
|--------------|---------------|------------|
| Councillors: | I Ashcroft    | J Finch    |
|              | Mrs P Baybutt | D O'Toole  |
|              | N Delaney     | E Pope     |
|              | T Devine      | J Thompson |
|              | S Evans       |            |

Officers: Ian Gill, Head of Growth and Development  
Catherine Thomas, Development Heritage and Environment Manager  
Mark Loughran, Principal Planning Officer  
David Delaney, Legal Assistant (Planning)  
Julia Brown, Member Services Officer  
Jill Ryan, Senior Member Services Officer

In attendance: Councillor David Evans (Planning Portfolio Holder)

#### 44 APOLOGIES

There were no apologies for absence received.

#### 45 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

#### 46 URGENT BUSINESS

After consultation with the Chairman of the Planning Committee, the following item was deemed an urgent item of business as a response was needed to be provided to the consultation exercise on the Planning For the Future White Paper and Consultation on changes to the Planning System by the 29 October 2020.

### PLANNING FOR THE FUTURE WHITE PAPER AND CONSULTATION ON CHANGES TO THE PLANNING SYSTEM

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 355 to 392 of the Book of Reports, the purpose of which was to seek the Council's response to MHCLG's consultation on both the Planning for the Future White Paper and the technical changes to the planning.

The report had been previously published on the agenda for Executive Overview and Scrutiny Committee on the 24 September and Cabinet 13 October 2020.

**RESOLVED:** That the following agreed comments be forwarded to the Corporate Director of Place and Community for consideration prior to a final

response being agreed in consultation with the Portfolio Holder for Planning and submitted before the deadline of 29 October 2020:-

- A.** That the Council's response should stress that, the Planning White Paper undermines local democracy by removal of member involvement in certain aspects of decision making.
- B.** That any new Local Plan System needs to be simple to engage with by the public and that, there should be a variety of means to engage in the process, in addition to digital means.

47      **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

48      **DECLARATIONS OF PARTY WHIP**

There were no Declarations of Party Whip.

49      **MINUTES**

RESOLVED:      That the minutes of the meeting held on the 10 September 2020 be approved as a correct record and signed by the Chairman.

50      **PLANNING APPLICATIONS**

The Corporate Director of Place and Community submitted a report on planning applications (all prefixed 2020 unless otherwise stated) as contained on pages 321 to 350 of the Book of Reports and on pages 351 to 353 of the Late Information Report.

(Note:

An objector and the applicant spoke in connection with planning application 0727/FUL relating to Eden Tea Rooms and Galleries, Course Lane Newburgh and left the meeting after consideration of this item).

51      **2020/0669/FUL - LAND TO THE NORTH-EAST OF FAIRSTEAD, BIRCH GREEN, SKELMERSDALE**

RESOLVED:      That in respect of planning application 0669/FUL relating to Land to the North-East of Fairstead, Birch Green, Skelmersdale:-

- (i)      That the decision to grant planning permission be delegated to the Corporate Director of Place and Community in consultation with the Chairman or Vice-Chairman of the Planning Committee, subject to the applicant entering into a Deed of Variation to vary the original agreement made under Section 106 of the Town

and Country Planning Act 1990 to require details of the terms, conditions and delivery of the affordable housing units.

- (ii) That any planning permission granted by the Corporate Director of Place and Community be pursuant to the conditions as set out on pages 324 to 326 of the Book of Reports.

**52      2020/0727/FUL - EDEN TEA ROOMS AND GALLERIES, COURSE LANE, NEWBURGH, WIGAN, LANCASHIRE**

**RESOLVED:** That planning application 0727/FUL relating to Eden Tearooms and Galleries, Course Lane, Newburgh, Wigan be approved subject to the reason as set out on page 334 of the Book of Reports and with a condition and reason as set out below:-

**Condition**

Notwithstanding any description of materials in the application within 3 months of the date of this permission, the satellite dishes shall be painted/coated basalt grey to match the existing Kingspan cladding panels.

**Reason** To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

**53      2019/1003/FUL - BARN LODGE VETERINARY HOSPITAL, 54A SOUTHPORT ROAD, ORMSKIRK**

**RESOLVED:** That planning application 2019/1003/FUL relating to Barn Lodge Veterinary Hospital, 54A Southport Road, Ormskirk be refused:-

**Reason for refusal**

The proposed incinerator by reason of the height and the industrial design of its chimney would adversely affect the visual amenities of the area contrary to Policy GN3 of the West Lancashire Local Plan

**54      2020/0444/FUL - 22 CHURCH STREET, ORMSKIRK, LANCASHIRE**

**RESOLVED:** That planning application 0444/FUL relating to 22 Church Street, Ormskirk be approved subject to the conditions as set out on pages 348 to 349 of the Book of Reports and with the amendment to Condition 4 as set out page 353 of the Late Information Report.

.....  
**Chairman**

## PLANNING COMMITTEE

**HELD: Thursday, 12 November 2020**

Start: 7.00 p.m.

Finish: 9.05 p.m.

### PRESENT:

Councillor: G Owen (Chairman)  
A Pritchard (Vice-Chairman)

Councillors: I Ashcroft J Finch  
Mrs P Baybutt D O'Toole  
T Devine J Thompson  
D Evans D Westley  
S Evans

In attendance: Councillor E Pope (Ward Councillor – Newburgh)

Officers: Heidi McDougall - Corporate Director of Place and Community  
Ian Gill – Head of Growth and Development Services  
Catherine Thomas – Development Heritage and Environment Manager  
Ann Veevers – Principal Planning Officer  
David Delaney – Legal Assistant (Planning)  
Jill Ryan – Senior Member Services Officer  
Julia Brown – Member Services Officer  
Chloe McNally – Member Services Apprentice

### 55 APOLOGIES

There were no apologies for absence received.

### 56 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillors Delaney and Pope and the appointment of Councillors D Evans and D Westley for this meeting only, thereby given effect to the wishes of the Political Groups.

### 57 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

### 58 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

### 59 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

**60 MINUTES**

RESOLVED: That the minutes of the meeting held on the 15 October 2020 be approved as a correct record and signed by the Chairman.

**61 PLANNING APPLICATIONS**

The Corporate Director of Place and Community submitted a report on planning applications (all prefixed 2020 unless otherwise stated) as contained on pages 411 to 477 of the Book of Reports and on pages 479 of 483 of the Late Information Report.

(Notes:

1. 4 objectors and a representative for the applicant spoke in connection with planning application 0439/FUL relating to Eden Tearoom and Galleries, Course Lane, Newburgh and left the meeting after consideration of this item.
2. A Parish Councillor from Newburgh Parish Council spoke in connection with planning application 0439/FUL relating to Eden Tearoom and Galleries, Course Lane, Newburgh and left the meeting after consideration of this item.
3. In accordance with Regulatory Procedure Rule 7(b), Councillor Pope spoke in connection with planning application 0439/FUL relating to Eden Teamroom and Galleries, Course Lane, Newburgh.

**62 2019/0747/FUL - BUNGALOW FARM, HEATONS BRIDGE ROAD, SCARISBRICK**

RESOLVED: That planning application 2019/0747/FUL relating to Bungalow Farm, Heatons Bridge Road, Scarisbrick be refused for the reason as set out below:-

The proposed development, by virtue of its bulk and scale would result in significant visual harm in this open, flat landscape, contrary to the Council's SPD on Natural Areas and Areas of Landscape History Importance, Policies EN2 and GN3 of the West Lancashire Local Plan 2012-27 Development Plan Document and paragraph 127 of the NPPF.

**63 2019/0797/WL3 - 13 BEECH AVENUE, PARBOLD, WIGAN, LANCASHIRE**

RESOLVED: That planning application 2019/0797/WL3 relating to 13 Beech Avenue, Parbold be approved subject to the conditions and reasons as set out on pages 442 to 443 of the Book of Reports.

**64 2019/0798/WL3 - 11 BEECH AVENUE, PARBOLD, WIGAN, LANCASHIRE**

RESOLVED: That planning application 2019/0798/WL3 relating to 11 Beech Avenue, Parbold be approved subject to the conditions and reasons as set out on pages 448 to 449 of the Book of Reports.

**65 2019/0799/WL3 - 3 BEECH AVENUE, PARBOLD, WIGAN, LANCASHIRE**

RESOLVED: That planning application 2019/0747/FUL relating to 3 Beech Avenue, Parbold be approved subject to the conditions and reasons as set out on pages 454 to 455 of the Book of Reports.

**66 2020/0439/FUL - EDEN TEAROOM AND GALLERIES, COURSE LANE, NEWBURGH, WIGAN, LANCASHIRE**

RESOLVED: That planning application 2020/0439/FUL relating to Eden Tearoom and Galleries, Course Lane, Newburgh be approved subject to the conditions and reasons as set out on pages 468 to 470 of the Book of Reports.

**67 2020/0424/FUL - FYLDE VIEW FARM, SHORE ROAD, HESKETH BANK, PRESTON**

RESOLVED: That planning application 2020/0424/FUL relating to Fylde View Farm, Shore Road, Hesketh Bank be approved subject to the conditions and reasons as set out on pages 476 to 477 of the Book of Reports and with the rewording of Condition 1 as set out on page 483 of the Late Information Report.

.....  
**Chairman**



## PLANNING COMMITTEE

**HELD: Thursday, 3 December 2020**

Start: 7.00 p.m.

Finish: 7.20 p.m.

### PRESENT:

Councillor: G Owen (Chairman)  
A Pritchard (Vice-Chairman)

Councillors: I Ashcroft J Finch  
Mrs P Baybutt E Pope  
N Delaney D O'Toole  
T Devine J Thompson  
S Evans

In attendance: Councillor D Evans (Portfolio Holder Planning)

Officers: Ian Gill – Head of Growth and Development Services  
Catherine Thomas – Development, Heritage and Environment Manager  
Mark Loughran – Principal Planning Officer  
Judith Williams – Assistant Solicitor  
Jill Ryan – Senior Member Services Officer  
Julia Brown – Member Services Officer

### 68 APOLOGIES

There were no apologies for absence received.

### 69 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

### 70 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

### 71 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

### 72 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

### 73 MINUTES

RESOLVED: That the minutes of the meeting held on the 12 November 2020 be approved as a correct record and signed by the Chairman.

**74 PLANNING APPLICATIONS**

The Corporate Director of Place and Community submitted a report relating to planning application 2020/0800/FUL in respect of 6 East Mead, Aughton as set out on pages 495 to 499 of the Book of Reports.

**75 2020/0800/FUL - 6 EAST MEAD, AUGHTON**

**RESOLVED:** That planning application 2020/0800/FUL relating to 6 East Mead, Aughton be deferred to allow for further negotiations to take place with the applicant.

**76 OBJECTION TO A TREE PRESERVATION ORDER (TPO) PRIOR TO  
CONFIRMATION - LIME TREE AT 9 GRANVILLE PARK AUGHTON**

Consideration was given to the report of the Corporate Director of Place and Community in respect of an objection to a Tree Preservation Order (TPO) No 8, 2020 prior to confirmation – Lime Tree at 9 Granville Park, Aughton and to consider objections made by the owner.

**RESOLVED:** That TPO No. 8 2020 be confirmed without modification.

.....  
**Chairman**



**CABINET: 10 November 2020**

**EXECUTIVE OVERVIEW AND SCRUTINY  
COMMITTEE: 26 November 2020**

**COUNCIL: 16 December 2020**

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**Report of: Corporate Director of Place & Community**

**Contact for further information: Peter Quick (Extn. 5203)**  
**([peter.quick@westlancs.gov.uk](mailto:peter.quick@westlancs.gov.uk))**

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**SUBJECT: HRA REVENUE AND CAPITAL MID-YEAR REVIEW**

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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 2020/21 financial year.

## **2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the 2020/21 HRA and Housing capital programme positions be noted.
- 2.2 That the proposed budget adjustments identified in 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 26 November 2020.

## **3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

- 3.1 That the 2020/21 HRA and Housing capital programme positions be noted.

## **4.0 RECOMMENDATIONS TO COUNCIL**

- 4.1 That the 2020/21 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 2020, Council agreed the HRA revenue and capital budgets for the 2020/21 financial year. Subsequently in October 2020 Council noted the favourable financial outturn position of the 2019/20 HRA and Capital Investment Programme and approved a number of budget changes and allocations.

5.2 From April 2020 the Government's new rents policy has been applied, which is a return to annual increases of up to CPI + 1%. There is also a new regulatory framework, which is anticipated, will be more robust.

## **6.0 HOUSING REVENUE ACCOUNT – PROJECTED OUTTURN**

6.1 A summary of the projected HRA revenue outturn against budget is set out in Appendix 1 and shows that a favourable budget variance of £710,000 is expected for 2020/2021, representing 2.8% of total turnover. This demonstrates that the HRA remains in a healthy overall financial position.

6.2 The main variances that are expected at this time are due to the following:

- There are a number of vacant posts pending recruitment and consequently a favourable variance is anticipated on employee costs.
- Planned revenue works are unlikely to be fully undertaken in year, and the size of this budget will be reviewed during 2021/22 budget setting.
- The budget contingency is not expected to be used.
- Dwelling rents are better than budget

6.3 Consideration will be given to how the projected favourable budget variance of £710,000 should be used at year-end and as part of the budget setting process for 2021/22.

## **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. Proposed amendments are shown in Appendix 2.

7.2 Primarily due to the ongoing Coronavirus pandemic restrictions, it is estimated that £4.933m of the 2020/21 capital programme works will not be delivered in year.

7.3 This relates to the decision not to undertake internal replacement programmes for kitchens / bathrooms / central heating systems and domestic electrical rewires, due to the risk of starting works and then having to stop midway through due to tenants contracting the virus or having to self-isolate as a result of potential exposure to the virus.

7.4 To manage this reprofiling of the budget, the Investment Team will develop a contingency plan for the 2021/2022 capital programme as follows:

**[A] Business as Usual;** this will be on the basis that the Covid 19 pandemic is under control and no national or local lockdowns are in place and consequently the full capital programme will be delivered along with 50% of the internal works reprofiled from the 2019/20 programme. The remaining 50% of the 2019/20

programme would be delivered in conjunction with the 2022/23 capital programme.

**[B] Not Business as Usual;** this will be on the basis that the Covid 19 pandemic is still prevalent and its management is subject to further planned / unplanned national or local lockdowns being in place. This will see the 2021/22 capital budget focused on external works such as roofing / pointing / window and door replacements. Kitchens / bathrooms / central heating systems and domestic electrical rewires will be delivered by exception where the component has or is about to fail and poses a health and safety risk or potential decent homes failure.

- 7.5 The subsequent 2022 / 2023 capital programme would then solely be focused on delivering the deferred internal works streams from 2019 / 2020 and 2021 / 2022, subject to the Covid 19 pandemic ending or posing a very reduced risk.
- 7.6 The Property Services Manager has confirmed that the draft contingency plans will be available for appraisal by the Executive Director Community and Place and the Head of Housing and Regulatory by the 31<sup>st</sup> January 2021 prior to wider sharing across the senior management team and Members.
- 7.7 A summary of the capital expenditure year to date position is shown in Appendix 3. Total expenditure to date is £1.086m which represents 14% of the total revised budget. It is expected that the major part of the revised capital budget will be spent in year.
- 7.8 The major portion of the salary costs & professional fees budget in appendix 3 relates to a recharge from HRA Property Services to the capital budget to reflect estimated time spent on delivery of the overall capital programme by the team. For practical reasons this is done upfront at the start of the year. If staff time is not actually spent on capital programmed works in year this can be amended at year end.
- 7.9 In February 2019, delegated authority was given, in consultation with the Housing and Landlord Services Portfolio Holder, to utilise one for one capital receipt funding together with HRA borrowing to acquire new properties subject to there being a satisfactory business case. At mid year, £0.363m of expenditure has been incurred on purchase of 2 properties from the open market, plus work on bringing up to the required standard the properties purchased in quarter four of 2019/20. This is part funded by HRA borrowing in addition to the use of 141 receipts that needed to be utilised rather than paid back to Government with interest. It is anticipated that from quarter three of this financial year, 141 receipts will be used to part fund works carried out by Tawd Valley Development Company on building homes for affordable rent.

## **8.0 SUSTAINABILITY IMPLICATIONS**

- 8.1 Careful monitoring the budget position helps ensure 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. This process is resource intensive for both Members and Officers but ensures that a robust and achievable budget is set.

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### **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 Landlord Services Committee (Cabinet Working Group) held: Wednesday, 28 October 2020

Appendix 5 – Minute of Cabinet held 10 November 2020

Appendix 6 - Minute of Executive Overview & Scrutiny Committee – 28 November 2020

## Appendix 1 – HRA Revenue Projected Outturn

| Budget Area                                    | Revised Budget<br>£000 | Variance<br>£000 | Comment  |
|--|------------------------|------------------|--|
| Employee Expenses                              | 3,539                  | -100             | Staffing vacancies will lead to a favourable budget variance               |
| Void repairs and response repairs              | 3,504                  | 0                | Both budgets are demand-led so final outturn depends upon various factors. |
| Other premises costs                           | 3,045                  | -250             | Planned revenue works budget not expected to be fully used in 2019/20      |
| Transport costs                                | 167                    | 0                |  |
| Budget contingency                             | 260                    | -260             | No current calls on budget contingency                                     |
| Supplies and Services                          | 1,231                  | 0                |  |
| Support Services and internal income (net)     | 1,538                  | 0                |  |
| Loan interest & Contribution towards Repayment | 3,395                  | 0                |  |
| Contributions to capital                       | 9,050                  | 0                | Contributions not utilised in year can be transferred into 2021/22         |
| Dwelling rents                                 | -22,820                | -100             | Expected to be ahead of budget   |
| Other external income                          | -2,909                 | 0                |  |
| <b>Total</b>                                   | <b>0</b>               | <b>-710</b>      | Represents 2.8% of the overall turnover                                    |

## Appendix 2 – Housing Revised Capital Programme Summary of Changes

| Scheme                     | Current Budget<br>£000's | Slipped from<br>2019/20<br>£000's | Reprofile into<br>2021/22<br>&<br>2022/23<br>£000's | Funding released<br>£000's | Revised Budget<br>£000's | Comments  |
|----------------------------|--------------------------|-----------------------------------|---|----------------------------|--------------------------|---|
| Re-Roofing Works           | 2,169                    | 1,170                             | -1,249  |                            | 2,090                    | Programme re-profiled to take account of late start on site [July] when first national lockdown ended. Deferred properties will be picked up on 2021 / 2022 programme – see Item 7.4                                    |
| External Works             | 1,144                    | 325                               | -619  |                            | 850                      | Re-profiling forward and backwards of operational programme to reflect late start on site [July] when first national lockdown ended.  |
| Heating System Upgrades    | 823                      | 25                                |   |                            | 848                      | Replacements are by exception – deferred properties to be picked up on 2021 / 2022 or 2022 / 2023 programmes – see Item 7.4   |
| Windows and Doors          | 548                      | 545                               | -548  |                            | 545                      | Delivering 2019/20 slipped programme from January 2021  |
| Electrical Upgrades        | 635                      | 20                                | -217  |                            | 438                      | Replacements to domestic properties are by exception – deferred properties to be picked up on 2021 / 2022 or 2022 / 2023 programmes – see Item 7.4 – remaining budget focused on communal re-wires / lighting upgrades. |
| Communal Fire Safety Works | 271                      |                                   |   |                            | 271                      | Reflects latest expected programme delivery March 2021  |
| Walls                      | 280                      | 100                               | -260  |                            | 120                      | Reflects latest expected programme delivery March 2021  |

|  |              |              |               |          |              |   |
|--|--------------|--------------|---------------|----------|--------------|---|
| Kitchen Replacements                   | 633          | 20           | -632          |          | 21           | Replacements are by exception – deferred properties to be picked up on 2021 / 2022 or 2022 / 2023 programmes – see Item 7.4   |
| Bathroom Replacements                  | 501          |              | -485          |          | 16           | Replacements are by exception – deferred properties to be picked up on 2021 / 2022 or 2022 / 2023 programmes – see Item 7.4   |
| Communal Areas Improvements            | 117          | 80           | -137          |          | 60           | Programme re-profiled to take account of late start on site [July] when first national lockdown ended. Deferred areas to be picked up as part of 2021/2022 cyclical decoration programme to be delivered by Wates Property Services Ltd |
| <b>Capital Investment Programme</b>    | <b>7,121</b> | <b>2,285</b> | <b>-4,147</b> | <b>0</b> | <b>5,259</b> |   |
|  |              |              |               |          |              |   |
| Carbon Neutral Dwellings               | 400          |              | -150          |          | 250          | Reflects latest expected programme delivery for March 2021  |
| Salary costs & Professional Fees       | 600          |              |               |          | 600          |   |
| Adaptations for Disabled People        | 439          | 49           | -188          |          | 300          | Reflects current position relating to CV19 restrictions and demand led service.   |
| Contingency/Voids                      | 300          | 100          |               |          | 400          | Revised budget reflects major component replacements undertaken at void stage where previous tenants have not provided access.  |
| Change in Standard for Smoke Detection | 300          |              |               |          | 300          | Reflects latest expected programme delivery March 2021  |
| Improvements to Binstores              |              | 192          |               |          | 192          | Reflects latest expected programme delivery March 2021 – further growth bids maybe required to fully complete programme over 2021/2022 and 2022/2023  |
| Environmental Programme                | 200          | 193          | -328          |          | 65           | Reflects latest expected programme delivery March 2021  |
| Asset Management Assessment            |              | 50           |               |          | 50           | Reflects latest expected programme delivery March 2021  |

|                                  |              |              |               |             |              |  |
|----------------------------------|--------------|--------------|---------------|-------------|--------------|--|
| Lifts                            |              | 140          | -70           |             | 70           | Scheduled to be fully completed September 2021                                   |
| Sheltered Housing Upgrades       | 140          | 140          |               | -125        | 155          | Release £125k as annual budget sufficient.                                       |
| Solar PV Battery Storage         | 50           |              | -50           |             | 0            | Complete after communal lighting upgrade programme subject to final assessments. |
| <b>Other Housing Schemes</b>     | <b>2,429</b> | <b>864</b>   | <b>-786</b>   | <b>-125</b> | <b>2,382</b> |  |
|                                  |              |              |               |             |              |  |
| Purchase Service Charge Software |              | 40           |               |             | 40           |  |
| Digital Initiatives              |              | 15           |               |             | 15           |  |
| Rounding                         |              | 1            |               |             | 1            |  |
| <b>Total Expenditure</b>         | <b>9,550</b> | <b>3,205</b> | <b>-4,933</b> | <b>-125</b> | <b>7,697</b> |  |

## Resources

|                        | Current Budget<br>£000's | Slipped from<br>2019/20<br>£000's | Re-profile<br>into &<br>2022/23<br>£000's | Funding released<br>£000's | Revised Budget<br>£000's | Comments |
|------------------------|--------------------------|-----------------------------------|---|----------------------------|--------------------------|----------|
| Capital Receipts       |                          |                                   |   |                            |                          |          |
| HRA Borrowing          | 500                      | 3,205                             | -3,580                                    | -125                       | 0                        |          |
| HRA/MRA Contribution   | 9,050                    |                                   | -1,353                                    |                            | 7,697                    |          |
| <b>Total Resources</b> | <b>9,550</b>             | <b>3,205</b>                      | <b>-4,933</b>                             | <b>-125</b>                | <b>7,697</b>             |          |

### Appendix 3 – Housing Capital Year to Date Position

| <b>Scheme Description</b>              | <b>Revised Budget<br/>£000's</b> | <b>Mid-year Spend<br/>£000's</b> | <b>Mid-year Spend<br/>%</b> |
|--|----------------------------------|----------------------------------|-----------------------------|
| Re-Roofing Works                       | 2,090                            | 173                              | 8%                          |
| External Works                         | 850                              | 7                                | 1%                          |
| Heating System Upgrades                | 848                              | 231                              | 27%                         |
| Windows and Doors                      | 545                              |                                  | 0%                          |
| Electrical Upgrades                    | 438                              | 4                                | 1%                          |
| Communal Fire Safety Works             | 271                              | 14                               | 5%                          |
| Walls                                  | 120                              |                                  | 0%                          |
| Kitchen Replacements                   | 21                               |                                  | 0%                          |
| Bathroom Replacements                  | 16                               | 21                               | 131%                        |
| Communal Areas Improvements            | 60                               | 19                               | 32%                         |
| <b>Capital Investment Programme</b>    | <b>5,259</b>                     | <b>469</b>                       | <b>9%</b>                   |
|  |                                  |                                  |                             |
| Carbon Neutral Dwellings               | 250                              |                                  | 0%                          |
|  |                                  |                                  |                             |
| Salary costs & Professional Fees       | 600                              | 501                              | 84%                         |
| Adaptations for Disabled People        | 300                              | 18                               | 6%                          |
| Contingency/Voids                      | 400                              | 56                               | 14%                         |
| Change in Standard for Smoke Detection | 300                              |                                  | 0%                          |
| Improvements to Binstores              | 192                              | 3                                | 2%                          |
| Environmental Programme                | 65                               | 5                                | 8%                          |
| Asset Management Assessment            | 50                               | 24                               | 48%                         |
| Lifts                                  | 70                               |                                  | 0%                          |

|                                  |              |              |            |
|----------------------------------|--------------|--------------|------------|
| Sheltered Housing Upgrades       | 155          | 11           | 7%         |
| <b>Other Housing Schemes</b>     | <b>2,382</b> | <b>618</b>   | <b>26%</b> |
|                                  |              |              |            |
| Digital Initiatives              | 15           | -1           | -7%        |
| Purchase Service Charge Software | 40           |              | 0%         |
|                                  |              |              |            |
| Rounding                         | 1            | -3           |            |
| <b>Total Capital Programme</b>   | <b>7,697</b> | <b>1,086</b> | <b>14%</b> |
|                                  |              |              |            |
| Market Purchases to utilise 141  |              | 363          |            |
| <b>Total Expenditure</b>         |              | <b>1,449</b> |            |

### Resources

|                        |              |              |  |
|------------------------|--------------|--------------|--|
| Capital Receipts       |              | 108          |  |
| HRA Borrowing          |              | 255          |  |
| HRA/MRA Contribution   | 7,697        | 1,086        |  |
| <b>Total Resources</b> | <b>7,697</b> | <b>1,449</b> |  |

\*HRA/MRA contributions not utilised in year can be transferred into 2021/22 along with any further capital budget transferred into 2021/22 at year end.

**MINUTE OF THE LANDLORD SERVICES COMMITTEE (CABINET WORKING GROUP) HELD: Wednesday, 28 October 2020**

**11(a) HRA REVENUE AND CAPITAL MID-YEAR REVIEW**

The Working Group considered the report of the Head of Housing and Regulatory Services contained on pages 105–113 of the Book of Reports, which provided a summary of the Housing Revenue Account and Housing Capital Programme positions for the 2020/21 financial year.

The Finance and Audit Manager provided an overview of the report, and the Head of Housing and Regulatory Services provided an overview of the current position in light of the Covid Pandemic and the struggle to obtain relevant materials due to a National shortage and the impact of this against the programme. There had also been access issues due to tenants self-isolating and some issues around a reduced workforce for the same reason.

Questions were raised in respect of the following:

- Is there a plan for 2021/22 taking into account the ongoing pandemic
- Being clear that work is not cancelled, simply postponed due to material shortages and Covid restrictions
- Increase in cost of materials due to National shortage. Minimal affect against the budget.

**AGREED:** That the Working Group note the 2020/21HRA and Housing Capital Programme positions and endorse the budget adjustments identified in Appendix 2 of the report.



**46 HRA REVENUE & CAPITAL MID YEAR REVIEW**

Consideration was given to the revised report of the Corporate Director of Place & Community, which provided a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2020/21 financial year.

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

- RESOLVED:
- A. That the 2020/21 HRA and Housing capital programme positions be noted.
  - B. That the proposed budget adjustments identified in Appendix 2 of the revised report, be endorsed for consideration by Council.
  - C. 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 26 November 2020.



**MINUTE OF EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE – 28  
NOVEMBER 2020**

**38 HRA REVENUE & CAPITAL MID YEAR REVIEW**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 267 to 280 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2020/21 financial year. The report had previously been considered by Cabinet on 10 November 2020.

The Finance and Audit Manager provided an overview of the report referring to details set down in the report and appendices. The Head of Housing and Regulatory Services also provided information in respect of the current position and challenges faced in relation to the Covid Pandemic.

RESOLVED: That the 2020/21 HRA and Housing capital programme positions be noted.





**COUNCIL: 16 December 2020**

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**Report of: Head of Finance, Procurement and Commercial Services**

**Relevant Portfolio Holder: Councillor A Yates**

**Contact for further information: Mike Kostrzewski (Ext 5374)**  
**(E-mail: [mike.kost@westlancs.gov.uk](mailto:mike.kost@westlancs.gov.uk))**

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**SUBJECT: MID-YEAR GENERAL REVENUE ACCOUNT (GRA) FINANCIAL  
UPDATE 2020/2021**

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Wards affected: Borough wide

## **1.0 PURPOSE OF 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 financial year 2020-21.

## **2.0 RECOMMENDATIONS**

- 2.1 That Members note the overall summary and the position on reserves and balances because of the COVID 19 pandemic.

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## **3.0 BACKGROUND**

- 3.1 It is normal practice for officers to provide an update on the Council's GRA revenue financial position during the course of the year.
- 3.2 This year, the Council has been affected significantly by the COVID-19 pandemic both operationally and financially. The impacts of this has been reported to Members on a regular basis.

- 3.3 This report provides more detail about the emerging financial picture, which remains very fluid and subject to fluctuation by influences beyond the Council's direct control.
- 3.4 The Council agreed the SORP report in July 2019 and a range of savings options encompassing both staffing reductions and income generation were approved. Because of the pandemic, progress against some of these objectives and savings targets has been adversely impacted upon and an update is provided within this report.

#### **4.0 COVID-19 FINANCIAL UPDATE**

- 4.1 The pandemic has had a severe effect on the Council both operationally and financially. The Council has administered and issued over £20m of business grants, staffed food hubs, managed the accommodation of the homeless and a wide range of other activities during 2020. This has meant diverting staff resources to managing these challenging operations.
- 4.2 The adverse forecasted financial effects on the Council's finances are significant. Some examples of key areas affected are shown below:

##### **£ 000's**

|                              |      |
|------------------------------|------|
| • Leisure operations         | £400 |
| • Planning income            | £300 |
| • Car parks                  | £444 |
| • Collection Fund            | £960 |
| • Debtor legal cost recovery | £280 |
| • Commercial property        | £150 |

- 4.3 During the course of the pandemic, the Government has looked to support Councils via a range of financial packages including general financial assistance, new burdens funding and replenishment for the loss of income via a sales, fees and charges process plus other more bespoke mechanisms. This has assisted in alleviating some of the extra costs incurred by the Council.
- 4.4 The approach of Government support has been one that has emerged over time and has somewhat resulted from feedback from Local Government as the situation has developed. This has made it difficult to gain clarity and reach an overall view of the financial picture. Therefore, the information presented is open to future fluctuation especially in relation to future Government financial support.

#### **5.0 FINANCIAL FORECAST**

- 5.1 The forecast revenue position for the financial year is summarised by service area in **Appendix A**. The summary details a forecast overspend of £0.563m

however; this does not include future income claims via the sales, fees and charges process. This funding is scheduled to cover the full 2020-21 financial year and a further two claims to cover this period will be submitted. The level of the claim will be dependent upon the losses actually incurred during the periods in question. Importantly, the detail set out in the appendix does not include the potential losses from Council Tax and NNDR, which fall under the collection fund. These losses will be incurred in future years and the Government has provided an allowance for these losses to be spread over a 3-year timeframe rather than the usual time of one year. The picture may also alter due to a range of other factors such as, determination of which COVID tier West Lancashire falls in to the restrictions that result and hence any subsequent financial effects of that categorisation.

- 5.2 It is anticipated that any overspend that is incurred for the current financial year is met from reserves. However, substantial reserves were scheduled to be used to support the budget as the Council transitioned the SORP period of savings timeframe. For example, within the current year, the reserves utilisation is £0.780m and for next year, it was already planned that some £0.310m would be required. It is important, therefore, to view the projected current year overspend of £0.563m in this context as this is in addition to the application on £0.780m of reserves for 20-21.

## **6.0 FUTURE FINANCIAL OUTLOOK**

- 6.1 When considering the future financial outlook, it is useful to just reflect on the actions that were agreed previously. The SORP report detailed a range of savings options in order to address the forecasted financial shortfall of £1.9m over the medium term.
- 6.2 A range of savings options were approved by Council that covered both staff reductions and income generation. The apportionment of those savings being 52% staffing and 48% income generation.
- 6.3 Progress against some of the SORP savings has been affected by the pandemic. Examples of this are additional business rates of £200k not achieved; additional treasury management income of £326k being budgeted but a shortfall of around £100k is predicted. However, the treasury management team did manage to prepay a pension's sum of c £7m which resulted in an annual saving of £0.150m p.a. for a 3 year period. Staff resource has been stretched to address the issues arising because of the emergency Covid situation. Furthermore, future income generating opportunities arising from the establishment of a £30m commercial property fund, as detailed in the SORP report of July 2019, have not progressed as rapidly as first planned.
- 6.4 Officers are currently compiling working papers for budget setting 2021-22 and it is emerging that there are significant financial pressures. The medium term financial forecast is now showing a shortfall of between £0.5m and £1.0m

dependent upon the level of income generated, predominantly from the actions identified in the SORP report in July 2019.

- 6.5 In addition the initial findings of the budget setting process are highlighting some significant issues that will require addressing. For example, the extension of the leisure contract for the financial year 2021-22 may have a detrimental effect on the revenue account of approximately £0.350m.
- 6.6 The progress on the Development Company is good and there are some £11m of developments due for completion over the next 2 years and is on track. It is unlikely that the Development Company will be able to repatriate any profits in the short term. However, the loan financing that the Council provides for the Company does generate an interest return to the Council of 4.75%.
- 6.7 The Skelmersdale Town Centre scheme is set for completion in January 2022 and has two of the three units occupied. It is anticipated that as the development progresses that the third unit will be let. In line with normal practice with new lettings, each tenant will be granted a 12 month rent free period. It is likely, therefore, that the development will not provide a surplus during that period. It will, however, incur costs of sweeping and general maintenance for which a portion will be recovered via service charge.
- 6.8 The Government has announced that its long awaited three year financial settlement has been deferred. A one-year settlement is due to be announced prior to Christmas and the outcome will inform the financial situation of the Council and the medium term financial forecast.

## **7.0 SUMMARY**

- 7.1 It is clear that the effects of the pandemic have been far reaching and have significantly affected the Council during 2020/21. Careful, prudent financial management of the Council in previous years has provided a solid bedrock of being able to provide an excellent response to the challenges moving forward.

## **8.0 SUSTAINABILITY IMPLICATIONS**

- 8.1 It is a legal requirement for the Council to set and operate within a balanced budget. The sustainability of the Council in the long run allows it to provide services that the public require.

## **9.0 RISK ASSESSMENT**

- 9.1 The financial situation is largely affected by the level of Government funding that is provided and hence is open to variation. In addition, the economic climate that is likely to prevail post COVID will be difficult and this will have a knock on consequence to income generating areas of the Council and the potential income opportunities that the Council may wish to explore. Further

uncertainties around items such as the Governments reduction of New Homes Bonus also add to our challenge over the medium term.

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### **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 Summary Financial Position 2020-21

## Appendix

### SUMMARY FINANCIAL ANALYSIS - 2020/21

|  | Net Budget £000's | Var from Budget £'000s | Var from Budget % |
|--|-------------------|------------------------|-------------------|
| Corporate & Customer Services            | 3,324             | 166                    | 5.0               |
| Environmental Services                   | 7,026             | 60                     | 0.9               |
| Finance, Procurement & Property Services | 128               | 80                     | 62.5              |
| Housing & Regulatory                     | 1,766             | -20                    | -1.1              |
| Growth & Development                     | 1,294             | 773                    | 59.7              |
| Wellbeing & Leisure                      | 2,826             | 475                    | 16.8              |
| Other Budget Items                       | -2,934            | 466                    | See Note          |
| SUB TOTAL                                | 13,430            | 2,000                  |                   |
| NET COVID FUNDING                        |                   | -1,437                 |                   |
| Estimated Overspend                      |                   | 563                    |                   |

The above figures do not include the effects of the shortfall in collection for Council tax and NNDR as this will affect future financial years.

#### NOTE:

This area encompasses a range of issues including the staff vacancy budget and treasury management plus others.

The apparent overspend is somewhat due to the fact that the staff vacancies are reflected here but the savings are shown in the service area section of the table. Furthermore, treasury management income is forecast to make a £100k GRA shortfall.



**COUNCIL: 16 December 2020**

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**Report of: Head of Finance, Procurement and Commercial Services**

**Relevant Portfolio Holder: Councillor A Yates**

**Contact for further information: Cathy Murphy (Ext. 5057)**  
**(E-mail: [Cathy.Murphy@westlancs.gov.uk](mailto:Cathy.Murphy@westlancs.gov.uk))**

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**SUBJECT: REVISED CAPITAL PROGRAMME**

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Wards affected: Borough wide

## **1.0 PURPOSE OF REPORT**

- 1.1 To agree a Revised General Revenue Account (GRA) Capital Programme for 2020/21 and provide an update on progress on capital schemes.

## **2.0 RECOMMENDATIONS**

- 2.1 That the revised Capital Programme, including the re-profiling, virements and budget adjustments contained within Appendix A, be approved.
- 2.2 That progress against the Revised Capital Programme at the mid-year point be noted.
- 

## **3.0 BACKGROUND**

- 3.1 The Capital Programme is set on a three-year rolling basis and the Programmes for 2020/2021, 2021/2022 and 2022/2023 were approved by Council in February 2020.
- 3.2 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.

- 3.3 Members are kept informed of the financial position of the Capital Programme through monitoring reports. The Housing Public Sector programme is the subject of a separate report elsewhere on the agenda and has also been presented to Cabinet on the 10<sup>th</sup> November. This report concentrates on the GRA programme.

#### **4.0 REVISED CAPITAL PROGRAMME**

- 4.1 The original budget that was set for the 2020/21 financial year together with underspends brought forward from the previous financial year totals £7.087m. This includes funding for Derby Street for the amount of £343k for addressing Health and Safety Issues.
- 4.2 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
- 4.3 The proposed changes to the 2020/21 Programme are analysed in Appendix C. This shows a net decrease of £436K largely due to Affordable Housing £247K, CRM System £71K, and Moor Street Phase 2 £174K being re-profiled. The revised GRA Capital Programme totals £6.651m for 2020/2021 following these changes. The overall programme is analysed by service in Appendix A along with a summary of the revised capital resources available.

#### **5.0 CAPITAL EXPENDITURE**

- 5.1 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. Other schemes are dependent on external partner funding and can only begin once their funding details have been finalised. Other related issues include contract retentions or contingencies that will only be spent some time after completion of the contract.
- 5.2 For the current year, £2.085 (29%) of expenditure has been incurred by the midyear (before capital Re-profiling). A substantial amount of this is due to spend on Skelmersdale Town Centre of £1.03M. Comparisons to previous years' programmes are shown in Table 1. The expenditure against budget

before and after re-profiling is analysed in Appendix B - 2020/2021 Revised Capital Programme Spend to Date against Budget

| Table 1: GRA Capital Expenditure against Budgets |                   |              |                           |
|--|-------------------|--------------|---------------------------|
| Year   | Expenditure<br>£m | Budget<br>£m | % spend<br>against Budget |
| 2020/2021  | 2.085             | 7.087        | 29%                       |
| 2019/2020  | 0.998             | 5.175        | 19%                       |
| 2018/2019  | 1.908             | 7.128        | 27%                       |
| 2017/2018  | 0.455             | 2.634        | 17%                       |
| 2016/2017  | 4.616             | 7.676        | 60%                       |

## 6.0 CAPITAL RESOURCES

- 6.1 There are sufficient resources identified to fund the 2020/21 Revised Capital Programme as shown in appendix A.
- 6.2 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.
- 6.3 The budget for useable capital receipts (including the affordable housing element) to be generated from Council House sales in the year is set at £0.960m from 50 sales. At the mid-year point 16 sales had been completed and the target for the year is expected to be met.
- 6.4 In addition to receipts from council house sales the Council also has a programme to sell plots of land and other assets. The budget for this in the 2020/2021 Programme is £100,000. As at the Mid-year there has been no land sales.

## 7.0 SUSTAINABILITY IMPLICATIONS

- 7.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. The Capital 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 project plans and shows progress against them.

## 8.0 RISK ASSESSMENT

- 8.1 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 scrutinised 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 Funding of Capital Programme
- B 2020/2021 Revised Capital Programme Spend to Date Against Budget
- C Re-profiling of the Capital Programme

## APPENDIX A - ANALYSIS OF FUNDING

| SERVICE AND SCHEME  |         |         |         |               |
|---|---------|---------|---------|---------------|
|   | 2020/21 | 2021/22 | 2022/23 | Total         |
|   | £'000   | £'000   | £'000   | £'000         |
| <b><u>Finance Procurement &amp; Commercial Services</u></b> |         |         |         |               |
| Parish Capital Schemes                                      | 45      | 30      | 30      | <b>105</b>    |
| Civica Financials - Making Tax Digital                      | 26      | 0       | 0       | <b>26</b>     |
| Skelmersdale Town Centre                                    | 2,200   | 11,450  | 0       | <b>13,650</b> |
| Culvert Debris Screens                                      | 2       | 0       | 0       | <b>2</b>      |
| Economic Regeneration Programme                             | 5       | 0       | 0       | <b>5</b>      |
| <b><u>Wellbeing &amp; Leisure</u></b>                       |         |         |         |               |
| Leisure Essential Works                                     | 44      | 0       | 0       | <b>44</b>     |
| Burscough Sports Centre                                     | 386     | 0       | 0       | <b>386</b>    |
| Green Lane Rugby Car Park                                   | 21      | 0       | 0       | <b>21</b>     |
| Chapel Gallery Phase 3                                      | 10      | 0       | 0       | <b>10</b>     |
| WL Play Strategy Improvements                               | 674     | 30      | 30      | <b>734</b>    |
| Nye Bevan Pool Building Works                               | 9       | 0       | 0       | <b>9</b>      |
| Park Pool Building Works                                    | 13      | 0       | 0       | <b>13</b>     |
| Allotment Improvements                                      | 6       | 0       | 0       | <b>6</b>      |
| Whittle Drive Playing Fields                                | 37      | 0       | 0       | <b>37</b>     |
| Rufford Village Hall Play Area                              | 53      | 0       | 0       | <b>53</b>     |
| Tawd Valley Park  | 203     | 0       | 0       | <b>203</b>    |
| Hesketh Avenue  | 40      | 0       | 0       | <b>40</b>     |
| Hunters Hill  | 45      | 0       | 0       | <b>45</b>     |
| Bowling Greens  | 11      | 0       | 0       | <b>11</b>     |
| Abbey Lakes   | 11      | 0       | 0       | <b>11</b>     |

**Environmental Services**

|  |    |   |   |           |
|--|----|---|---|-----------|
| Purchase of Vehicles                             | 46 | 0 | 0 | <b>46</b> |
| Purchase of Wheelie Bins                         | 57 | 0 | 0 | <b>57</b> |
| Expand In Cab System                             | 4  | 0 | 0 | <b>4</b>  |
| Waste Collection Projects                        | 1  | 0 | 0 | <b>1</b>  |
| Litter Bin Policy Review (Cabinet November 2019) | 10 | 5 | 5 | <b>20</b> |
| Replacement Vehicle Wash                         | 21 | 0 | 0 | <b>21</b> |
| Street Cleansing Tools                           | 10 | 0 | 0 | <b>10</b> |
| Updated Weighbridge Software                     | 5  | 0 | 0 | <b>5</b>  |

**Growth and Development**

|   |     |   |   |            |
|---|-----|---|---|------------|
| Moor Street Phase 2                                       | 177 | 0 | 0 | <b>177</b> |
| Alder Lane/Bramble Way Landfill, Site upgrade and replace | 75  | 0 | 0 | <b>75</b>  |
| Free Trees  | 7   | 7 | 6 | <b>20</b>  |
| Conservation Area Enhancement                             | 15  | 0 | 0 | <b>15</b>  |
| Preservation of Buildings at Risk                         | 2   | 0 | 0 | <b>2</b>   |
| Skelmersdale Vision                                       | 11  | 0 | 0 | <b>11</b>  |
| Mill Dam Lane   | 3   | 0 | 0 | <b>3</b>   |
| Abbey Lake Quarry   | 20  | 0 | 0 | <b>20</b>  |
| Skelmersdale Gateway Improvements                         | 50  | 0 | 0 | <b>50</b>  |
| Wheatsheaf Walks  | 29  | 0 | 0 | <b>29</b>  |
| Affordable housing  | 247 | 0 | 0 | <b>247</b> |
| Bus Rail Link   | 91  | 0 | 0 | <b>91</b>  |
| Sluice Lane   | 31  | 0 | 0 | <b>31</b>  |
| Ormskirk Town Centre                                      | 50  | 0 | 0 | <b>50</b>  |

**Housing and Regulatory Services**

|   |     |     |     |            |
|---|-----|-----|-----|------------|
| Corporate Property Investment Programme                     | 164 | 164 | 164 | <b>492</b> |
| Derby Street works to allow staff relocation following SORP | 55  | 0   | 0   | <b>55</b>  |
| Building Compliance on Commercial Property                  | 20  | 20  | 20  | <b>60</b>  |

|  |              |               |            |               |
|--|--------------|---------------|------------|---------------|
| Project Management Leisure Buildings                       | 61           | 0             | 0          | <b>61</b>     |
| Stanley Depot  | 39           | 0             | 0          | <b>39</b>     |
| Public Buildings Regulations & Upgrades                    | 251          | 0             | 0          | <b>251</b>    |
| Project Management Public Buildings                        | 20           | 0             | 0          | <b>20</b>     |
| Derby Street   | 343          | 0             | 0          | <b>343</b>    |
| M3PP System Replacement                                    | 40           | 0             | 0          | <b>40</b>     |
| Housing Renewal Grants                                     | 100          | 50            | 50         | <b>200</b>    |
| Disabled Facilities Grants                                 | 202          | 0             | 0          | <b>202</b>    |
| CCTV   | 134          | 120           | 0          | <b>254</b>    |
| Electric Vehicle Charge Point Network Extension            | 20           | 0             | 0          | <b>20</b>     |
| <b><u>Corporate and Customer Services</u></b>              |              |               |            |               |
| I C T Infrastructure                                       | 50           | 50            | 50         | <b>150</b>    |
| ICT Development Programme                                  | 110          | 100           | 100        | <b>310</b>    |
| Increase in ICT Development Budget from 100k to 200k pa    | 100          | 100           | 100        | <b>300</b>    |
| Website  | 20           | 0             | 0          | <b>20</b>     |
| Egress Secure Email & File Transfer                        | 11           | 0             | 0          | <b>11</b>     |
| CRM System   | 72           | 0             | 0          | <b>72</b>     |
| Invest to Save Digital Services                            | 59           | 0             | 0          | <b>59</b>     |
| Etarmis System   | 17           | 0             | 0          | <b>17</b>     |
| Right Kit Right Role Right Refresh - support agile working | 129          | 25            | 0          | <b>154</b>    |
| Digital Transformation - Implementation of IT Strategy     | 400          | 0             | 0          | <b>400</b>    |
| Less HRA funding for Strategy                              | -200         | 0             | 0          | <b>-200</b>   |
| Microsoft Enterprise Site Licence                          | 35           | 35            | 35         | <b>105</b>    |
| ICT Upgrades   | 20           | 20            | 20         | <b>60</b>     |
| IDOX ERDM System   | 12           | 0             | 0          | <b>12</b>     |
| <b>Total Programme</b>                                     | <b>7,087</b> | <b>12,206</b> | <b>610</b> | <b>19,903</b> |

| <b>Funding</b>                  | <b>£'000</b> | <b>£'000</b>  | <b>£'000</b> | <b>£'000</b>  |
|---------------------------------|--------------|---------------|--------------|---------------|
| Capital Receipts                | 3,771        | 756           | 610          | 5,137         |
| Internal Borrowing              | 2,200        | 4,450         | 0            | 6,650         |
| CIL/S106                        | 638          | 0             | 0            | 638           |
| Other Grant Funding             | 478          | 2,000         | 0            | 2,478         |
| Specific Land Dales (Whalley's) | 0            | 5,000         | 0            | 5,000         |
| <b>Total</b>                    | <b>7,087</b> | <b>12,206</b> | <b>610</b>   | <b>19,903</b> |

**APPENDIX B - 2020/21 CAPITAL PROGRAMME**  
**SPEND TO DATE AGAINST BUDGET BEFORE RE-PROFILING**

| Service                                   | Budget Approval | Spend to date |            | Amount left  |
|---|-----------------|---------------|------------|--------------|
|   | £000            | £000          | %          | £000         |
| Finance Procurement & Commercial Property | 2,278           | 1,030         | 45%        | 1,247        |
| Wellbeing & Leisure                       | 1,563           | 122           | 8%         | 1,442        |
| Environmental Services                    | 154             | 0             | 0%         | 154          |
| Growth & Development                      | 808             | 238           | 29%        | 570          |
| Housing & Regulatory Services             | 1,448           | 600           | 41%        | 849          |
| Corporate and Customer Services           | 835             | 95            | 11%        | 740          |
| <b>Total</b>                              | <b>7,087</b>    | <b>2,085</b>  | <b>29%</b> | <b>5,002</b> |

**SPEND TO DATE AGAINST BUDGET AFTER RE-PROFILING**

| Service                                   | Budget Approval | Spend to date |            | Amount left  |
|---|-----------------|---------------|------------|--------------|
|   | £000            | £000          | %          | £000         |
| Finance Procurement & Commercial Property | 2,278           | 1,030         | 45%        | 1,247        |
| Wellbeing & Leisure                       | 1,563           | 122           | 8%         | 1,442        |
| Environmental Services                    | 34              | 0             | 0%         | 34           |
| Growth & Development                      | 430             | 238           | 55%        | 192          |
| Housing & Regulatory Services             | 1,608           | 600           | 37%        | 1,009        |
| Corporate and Customer Services           | 737             | 95            | 13%        | 642          |
| <b>Total</b>                              | <b>6,651</b>    | <b>2,085</b>  | <b>31%</b> | <b>4,566</b> |



## APPENDIX B- REVISED CAPITAL PROGRAMME SUMMARY OF CHANGES

|  |      |             |
|--|------|-------------|
| <b><u>Current budget total</u></b>                         | £000 | £000        |
|  |      | 7,087       |
| <b><u>Reprofiling of expenditure into future years</u></b> |      |             |
| <b><u>Environmental Services</u></b>                       |      |             |
| Litter Bin Policy Review                                   |      |             |
| Timing of purchase delayed to 2021/22 due to Co-vid        | -10  |             |
| Purchase of Vehicles                                       |      |             |
| Timing of purchase delayed to 2021/22 due to Co-vid        | -40  |             |
| Purchase of Wheelie Bins                                   |      |             |
| Timing of purchase delayed to 2021/22 due to Co-vid        | -55  |             |
| Expand In Cab System                                       |      |             |
| Timing of purchase delayed to 2021/22 due to Co-vid        | -4   |             |
| Street Cleansing tools                                     |      |             |
| Timing of purchase delayed to 2021/22 due to Co-vid        | -10  |             |
| Demountable Skip body refurbishment                        |      |             |
| Timing of purchase delayed to 2021/22 due to Co-vid        | -1   |             |
|  |      | <b>-120</b> |
| <b><u>Growth and Development</u></b>                       |      |             |
| Free Tree Scheme   | -7   |             |
| Timing of purchase delayed to 2021/22                      |      |             |
| Conservation Area Enhancements                             | -15  |             |
| Timing of purchase delayed to 2021/22                      |      |             |
| Moor Street Phase 2  | -174 |             |
| Timing of purchase delayed to 2021/22                      |      |             |
| Wheatsheaf Walks   | -29  |             |
| Timing of purchase delayed to 2021/22                      |      |             |
| Skelmersdale Vision  | -11  |             |
| Timing of purchase delayed to 2021/22                      |      |             |
| Affordable Housing   | -247 |             |
| Timing of purchase delayed to 2021/22                      |      |             |
|  |      | <b>-483</b> |
| <b><u>Housing and Regulatory Services</u></b>              |      |             |
| M3PP System Replacement                                    | -40  |             |
| Timing of purchase delayed to 2021/22                      |      | <b>-40</b>  |
| <b><u>Corporate and Customer Services</u></b>              |      |             |
| Website contract Management                                |      |             |
| Timing of purchase put back into 2021-22                   | -5   |             |
| Customer Account Promotion Webpage                         |      |             |
| Timing of purchase put back into 2020-21                   | -15  |             |
| Customer Relationship Management System (CRM)              |      |             |
| On hold due to SORP review and CO-vid                      | -71  |             |

|   |     |              |
|---|-----|--------------|
| Etarmis Time Recording System<br>Re-considering options               | -17 |              |
| IDOX ERDM System<br>Timing of purchase brought forward from 2021/2022 | 10  | -98          |
| <b><u>Total to be re-profiled</u></b>                                 |     | <b>-741</b>  |
| <b><u>New -Additional Funding</u></b>                                 |     |              |
| <b><u>Growth &amp; Development</u></b>                                |     |              |
| Hesketh Bank Community Centre Rebuild<br>Cil Funding                  | 100 |              |
| Alder Lane<br>Revenue contribution to cost of Capital                 | 5   |              |
| <b><u>Housing &amp; Regulatory</u></b>                                |     |              |
| Safer Streets<br>Grant from Homes Office                              | 200 |              |
| <b><u>Total of Additional Funding</u></b>                             |     | <b>305</b>   |
| <b><u>Grand Total</u></b>   |     | <b>6,651</b> |



**COUNCIL:**  
**16 December 2020**

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**Report of:** Legal & Democratic Services Manager

**Relevant Portfolio Holder:** Councillor I Moran

**Contact for further information:** Jacky Denning (Extn. 5384)  
(E-mail: [jacky.denning@westlancs.gov.uk](mailto:jacky.denning@westlancs.gov.uk))

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**SUBJECT: APPOINTMENT OF INDEPENDENT PERSONS – STANDARDS COMMITTEE**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

- 1.1 To approve the appointment of Independent Persons (Standards Committee).

**2.0 RECOMMENDATIONS**

- 2.1 That Mr Stephen Garvey and Mr Mike Fawcett be appointed Independent Persons, with an annual allowance of £375 each.

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**3.0 APPOINTMENT OF INDEPENDENT PERSONS**

- 3.1 The system of regulation of standards of member conduct in England is governed by the Localism Act 2011. Local authorities must have a Code of Conduct for members, which must be consistent with the Nolan Committee's principles of selflessness, honesty, integrity, objectivity, accountability, openness and leadership.
- 3.2 All local authorities (other than parish and town councils) must have procedures in place to deal with complaints about member conduct. It is for the authority to decide the details of those procedures, but legally they must appoint at least one Independent Person, whose views are to be taken into account before making a decision on a complaint that the authority have decided to investigate and who is to assist the Council in the discharge of its duty to promote and maintain high standards of conduct.
- 3.3 In 2012 the Council appointed Independent Persons, Mr Stuart Ibbs (Independent Person) and Mr Stephen Garvey (Reserve Independent Person). In

August 2020 Mr Ibbs advised that he was stepping down from his position as Independent Person and thus a vacancy has arisen.

- 3.4 Maintaining access to two Independent Persons is consistent with the findings of the Committee on Standards in Public Life which conducted a national review of local government ethical standards, the results of which were published in January 2019. Best Practice Recommendation number 7 recommends that local authorities should have access to at least two Independent Persons.
- 3.5 At its meeting on 15 September 2020 Standards Committee resolved that a recruitment exercise be undertaken to appoint a second Independent Person, in addition to Mr Garvey.

#### **4.0 PROCESS FOR APPOINTING AN INDEPENDENT PERSON**

- 4.1 An Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all members of the Council.

A person is considered not to be “independent” if –

- (a) he/she is, or has been within the last 5 years, an elected or co-opted member or an officer of the Borough Council or of any of the Parish Councils within its area;
- (b) he/she is, or has been within the last 5 years, an elected or co-opted member of any Committee or Sub-Committee of the Borough Council or of any of the Parish Councils within its area; or
- (c) he/she is a relative or close friend of a current elected or co-opted member or officer of the Borough Council or any Parish Council within its area, or of any elected or co-opted member of any Committee or Sub-Committee of such Council.

For this purpose, “relative” comprises –

- (i) the candidate’s spouse or civil partner;
- (ii) any person with whom the candidate is living as if they are spouses or civil partners;
- (iii) the candidate’s grandparent;
- (iv) any person who is a lineal descendent of the candidate’s grandparent;
- (v) a parent, brother, sister or child of anyone in Paragraphs (i) or (ii);
- (vi) the spouse or civil partner of anyone within Paragraphs (c), (d) or (e); or
- (vii) any person living with a person within Paragraphs (iii), (iv) or (v) as if they were spouse or civil partner to that person.

- 4.2 The recruitment process started on 28 October 2020 when an advert was placed in the local newspaper and published on the Council's website. A press release was also issued. Six application forms were received before the deadline of 16 November 2020. Applications were shortlisted to five candidates by the Legal & Democratic Services Manager (Monitoring Officer), the Principal Solicitor (Deputy Monitoring Officer), the Democratic Services Manager and the Member Services Officer (Standards Committee). Interviews took place on Thursday, 26 November 2020 and Members were notified as soon as possible thereafter of the recommendation arising from the interviews.

- 4.3 The Committee on Standards in Public Life does not draw a distinction between the roles of Independent Person and Reserve Independent Person and so it is proposed to appoint both Stephen Garvey and Mike Fawcett as Independent Persons. This will allow, for instance, one of the Independent Persons to act where the other is conflicted and to ensure that both Independent Persons feel fully engaged in the assisting the Council in the discharge of its duty to promote and maintain high standards of conduct.

## **5.0 SUSTAINABILITY IMPLICATIONS**

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

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 An annual allowance is payable to the Independent Persons totalling £750 (£375 each).

## **7.0 RISK ASSESSMENT**

- 7.1 The Council must put in place arrangements in order to comply with the requirements of the Localism Act. Failure to do so or to adhere to suitable arrangements may expose the Council to the risk of judicial review proceedings or Ombudsman action. Any action taken in respect of Members would be proportionate in accordance with the requirements of the Human Rights Act.

## **8.0 HEALTH AND WELLBEING IMPLICATIONS**

- 8.1 There are no health and wellbeing implications arising from this report.

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### **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**

None





**COUNCIL: 16 December 2020**

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**Report of: Corporate Director of Transformation & Resources**

**Relevant Portfolio Holder: Councillor I Moran**

**Contact for further information: Mrs J Denning (Extn. 5384)**  
**(E-mail: [jacky.denning@westlancs.gov.uk](mailto:jacky.denning@westlancs.gov.uk))**

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**SUBJECT: EXECUTIVE DECISIONS – SPECIAL URGENCY**

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Wards affected: Borough wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To advise that, for the period 1 December 2019 to 30 November 2020, one decision was taken under Access to Information Procedure Rule 16 (Special Urgency).

## **2.0 RECOMMENDATION**

- 2.1 That it be noted that Access to Information Rule 16 (Special Urgency) was exercised once during the period 1 December 2019 to 30 November 2020 at the Cabinet meeting held on 9 June 2020 in relation to the item "Use of Capital Funding for Public Realm Improvements at Wheatsheaf Walk".
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## **3.0 ACCESS TO INFORMATION PROCEDURES**

- 3.1 In accordance with Access to Information Procedures, Key Decisions undertaken by the Executive (Cabinet) must be included on the Forward Plan. If the matter has not been included on the Forward Plan, Procedure Rule 15 (General Exception) still allows the decision to be taken when the specified safeguards are met.

- 3.2 Access to Information Procedure Rule 16 (Special Urgency) states:

"If by virtue of the date by which a decision must be taken Rule 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual), the Leader (if the Cabinet is making the decision) or the Chairman of the body making the decision:

- (a) obtains the agreement of the Chairman of a relevant Overview and Scrutiny Committee; or  
if there is no Chairman of the relevant Overview and Scrutiny Committee;  
or if the Chairman of each relevant Overview and Scrutiny Committee is unable to act, then the agreement of the Chairman of the Council (the Mayor), or in his/her absence the Vice Chairman (the Deputy Mayor), that the making of the decision is urgent and cannot reasonably be deferred; and
  - (b) makes available on the Council's website and at the Offices of the Council a notice setting out the reasons that the meeting/decision is urgent and cannot reasonably be deferred."
- 3.3 In accordance with the 'Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, any decisions taken under 'Special Urgency' must be reported to Council annually.
- 3.4 I can advise that Procedure Rule 16 (Special Urgency) was exercised once in the period 1 December 2019 to 30 November 2020 at the Cabinet meeting held on 9 June 2020 in relation to the item "Use of Capital Funding for Public Realm Improvements at W heatsheaf Walk". The reasons that the decision was urgent and could not reasonably be deferred is stated as: " The reason that the decision is urgent and cannot reasonably be deferred is to enable works to be carried out quickly and with minimal disruption so that appropriate social distancing measures can be supported in W heatsheaf Walk and Burscough Street and businesses can be supported as they seek to re-open as lockdown restrictions are eased."

#### **4.0 COMMENTS OF THE CORPORATE DIRECTOR OF PLACE & COMMUNITY**

- 4.1 As part of the Council's Ormskirk High Street Heritage Action Zone Programme it is proposed to introduce a public realm improvement scheme to improve W heatsheaf Walk through new paving, lighting and the removal of the 1980's 'pagoda' structure. The work had been programmed in to take place in March 2021 in order to minimize disruption to businesses and to allow time to undertake all necessary surveys and obtain necessary permissions.
- 4.2 Towards the end of the first COVID lockdown period, the Council was approached by local businesses to ask if the removal of the pagoda could be accelerated as a standalone project to provide additional space for outdoor seating. At the time hospitality businesses were extremely concerned that they would require additional outdoor seating space to survive given the 2m social distancing rules which were introduced.
- 4.3 To help inform the decision, officers approached two reputable local companies for informal quotes for the demolition of the pagoda, which were included in a Cabinet report.
- 4.4 Cabinet decided to delegate the decision to allow consideration of the views of the Executive Overview & Scrutiny Committee. Following this and using delegated authority provided by Cabinet, in consultation with the Portfolio

Holders for Planning & Economic Regeneration, the decision was taken to remove of the pagoda and planters at Wheatsheaf Walk.

- 4.5 A detailed brief was prepared which contained all preliminary information known at the time and officers approached three reputable companies for formal quotes for the demolition of the pagoda.
- 4.6 Despite assurances from all three companies that they wanted to submit a tender, the Council only received one quote. The company who did submit a formal quote subsequently withdrew saying that they believed they had underestimated the complexities and costs of delivering the job safely in an active town centre environment, referencing unknowns, such as the exact construction of the pagoda and whether or not it contained asbestos. In addition, new COVID-19 working restrictions had changed the situation for contractors.
- 4.7 At this point officers sought three further companies to provide quotations. The Council's Health and Safety officer also advised that an asbestos survey should be undertaken as there was a risk the structure could contain asbestos. This was organised and completed in October 2020.
- 4.8 Of the three additional companies approached, two quotes were received of £11,000 and £16,000. However, both contractors said they had a lengthy lead in time and that Wheatsheaf Walk and, importantly, the adjoining section of Burscough Street would have to be closed for a number of days. Both of these quotes would cost more than had been previously reported to Cabinet and Executive Overview & Scrutiny Committee.
- 4.9 Ultimately, the basis for removing the pagoda and planters before the remaining public realm works in order to deliver more open space and to support the re-opening of the high street could not be achieved without a high level of risk due to the unknown structural details and without disruption to the businesses. Also the two metre social distancing requirement was reduced to one metre for hospitality businesses, which alleviated the necessity to deliver the additional outdoor space as an urgent measure.
- 4.10 The decision was therefore taken to pause the removal of the pagoda in isolation and instead combine the removal with the original wider package of public realm improvements to be delivered in 2021, as had been previously proposed.
- 4.11 Recognising the need to make progress, the Council has now appointed a CDM Consultant/Project Manager to complement the existing project team. Structural, asbestos and topographical surveys have been undertaken to remove uncertainty.
- 4.12 Designs have been finalised and it is intended to go to tender in the week commencing 14<sup>th</sup> December. There will be ongoing discussions with the businesses in Wheatsheaf Walk as plans progress to ensure they are kept informed and any issues are duly taken account of.
- 4.13 Allowing for the tenders to be returned, evaluated and a lead in time to ensure that the necessary materials can be secured, the works contract is currently scheduled to commence at the end of March 2021. With a ten week works

programme, completion is forecast for mid-June 2021. This timetable of works may change subject to any further COVID-19 restrictions implemented by the Government.

## **5.0 SUSTAINABILITY IMPLICATIONS**

- 5.1 There are no sustainability impacts associated with this report and no impact on crime and disorder.

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 There are no financial/resource implications arising from this report.

## **7.0 RISK ASSESSMENT**

- 7.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this report.

## **8.0 HEALTH AND WELLBEING IMPLICATIONS**

- 8.1 There are no health and wellbeing implications arising from this report.

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### **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**

None.

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted



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