



Legal and Democratic Services

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To: Members of the Executive
Overview & Scrutiny
Committee.

(Copy to all other Members for
information)

Dear Councillor

MINUTES OF EXTRAORDINARY CABINET MEETING – 22 JULY 2020

I enclose a copy of the minutes of the meeting of the Cabinet held on 22 July 2020 for your attention.

The Council's Overview & Scrutiny Procedure Rules provide for all members of the Executive Overview & Scrutiny Committee to be circulated with a copy of these minutes. It is then open to a minimum of 5 Councillors on that Committee to call-in any of those decisions in the minutes available for call in. Unless otherwise indicated in the minutes, all items are available for call in. To call in a decision it is necessary for the 5 members concerned to return a copy of the attached form and to pass it to Member Services by no later than 5.00 pm on the Tuesday following circulation of the minutes. The deadline for call in on this occasion is, therefore, **5.00pm on TUESDAY 28 July 2020.** No requests for call in can be accepted after this deadline.

I would like to draw your attention to the Overview & Scrutiny arrangements, which provide for a call in notice to include a different decision that the members concerned would wish to see made. This different decision cannot have the effect of deferring the decision "for more information".

Please note that decisions of the Cabinet not called-in by the deadline referred to above shall come into force immediately.

Yours sincerely

J Denning

Democratic Services Manager



‘Call-In’ request by members of Executive Overview & Scrutiny Committee

This form must be received in Member Services before 5.00 pm on the Tuesday following the Cabinet Meeting (i.e. 28 July 2020).

Completed forms can be sent to member.services@westlancs.gov.uk

DECISION OF THE CABINET TO BE ‘CALLED IN’

Date of Meeting	22 July 2020
Minute No	
Subject	

IF MORE INFORMATION IS REQUIRED IN RELATION TO THIS ITEM, PLEASE CONTACT THE OFFICER INDICATED ON THE FIRST PAGE OF THE RELATED REPORT.

Reason for call in	Different decision required (This must not have the effect of deferring the item in question “for more information”.)

Councillors from the Executive Overview & Scrutiny Committee seeking “call in”:

	Name (please print)	Signature
1.		
2.		
3.		
4.		
5.		

NB. Please advise Member Services if this call in is to be withdrawn. Withdrawal can only be at the request of those members signing this call in request.

FOR MEMBER SERVICES USE ONLY

Received by:	Date of Committee:
Date: Time:	Reason if not valid / referred:
Valid? Yes / No	
Referred to Committee? Yes / No	Members informed:

CABINET

HELD: Wednesday, 22 July 2020

Start: 6.00 pm

Finish: 6.10 pm

PRESENT:

Councillors:

Portfolio

Councillor Ian Moran	Leader of the Council and Portfolio Holder for Economic Regeneration
Councillor Yvonne Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
Councillor Vickie Cummins	Portfolio Holder for Health and Wellbeing
Councillor Gareth Dowling	Portfolio Holder for Communities and Community Safety
Councillor David Evans	Portfolio Holder for Planning
Councillor Jenny Wilkie	Portfolio Holder for Housing and Landlord Services
Councillor Kevin Wilkie	Portfolio Holder for Street Scene
Councillor Kevin Wright	Portfolio Holder for Emergency Planning, Preparation and Implementation
Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance: Councillors Blane, Coughlan, Dereli, S Evans, A Sutton, J Thompson and D Westley.

Officers: Jacqui Sinnott-Lacey, Chief Operating Officer
Heidi McDougall, Corporate Director of Place & Community
Chris Twomey, Corporate Director of Transformation & Resources
Marc Taylor, Head of Finance, Procurement and Commercial Services
Ian Gill, Head of Growth & Development Services
Simon Burnett, Head of Wellbeing & Leisure Services
Paul Knight, Interim Head of Housing and Regulatory Services
Matt Jones, Legal & Democratic Services Manager
James Crowley - Leisure Project Development Manager, Leisure Project Development Manager
Jacky Denning, Member & Executive Services Manager
Jill Ryan, Member Services/Civic Officer

1 APOLOGIES

There were no apologies for absence.

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

There were no items of special urgency.

3 **PUBLIC SPEAKING**

There were no items under this heading.

4 **DECLARATIONS OF INTEREST**

Councillor Coughlan declared a pecuniary interest in relation to Agenda Item 9(a) 'Leisure Contract Extension - Short Term Measures in Response to Covid 19' in respect of his appointment to West Lancashire Community Leisure and advised that he would leave the meeting during consideration of this item.

5 **MINUTES**

RESOLVED: That the minutes of the Cabinet meeting held on 9 June 2020 be received as a correct record and signed by the Leader.

6 **CONFIRMATION OF PROCEDURAL MATTERS**

A Motion by the Leader, which had been circulated prior to the meeting, was moved and seconded.

A vote was taken the Motion was CARRIED.

RESOLVED: A. That it be noted that the Leader has appointed Cabinet Working Groups for 2020/21 as circulated at the Annual Meeting on 24 June 2020 with the terms of reference now included in the Constitution, including the Tawd Valley Developments Shareholders Cabinet Working Group as follows:

Tawd Valley Developments Shareholders Cabinet Working Group

Membership

(7 Members - 4 Lab 2 Con 1 OWL)

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

Conservative: Councillors and

Our West Lancs: Councillor

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

Functions

- (a) *To oversee and monitor the delivery of the Business Plan for the Tawd Valley Development Company and consider opportunities identified by the Board for future projects.*
 - (b) *To act as the consultee and provide recommendations to the Chief Operating Officer on the exercise of her delegation to determine all matters, as the Shareholder for the Tawd Valley Development Company, on behalf of the Council.*
- B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers' insofar as they are executive functions and the Scheme of Delegation to Cabinet Members as set out in the Constitution, be noted.

7 MATTERS REQUIRING DECISIONS

Consideration was given to report relating to the following matters requiring decisions and contained on pages 15 to 84 of the Book of Reports.

8 REVIEW OF THE COMMERCIAL PROPERTY PORTFOLIO

Consideration was given to the report of the Corporate Director of Place & Communities, which provided details of a review of the Council's existing Commercial Property Portfolio advising on current performance and indicating future trends, demand and investment needs. The report set out the further action that will be required to successfully manage the portfolio in the medium to longer term and explained the current statutory framework and background context which councils seeking to grow their commercial property portfolios need to consider, including a proposed "Investing in West Lancashire - Commercial Property Strategy".

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 contents of this report, including the future actions required, be noted.
 - B. That the "Investing in West Lancashire - Commercial Property Strategy" set out in Appendix 3 to the report, be endorsed for approved by Council.
 - C. That delegated authority be given to the Head of Finance, Procurement and Commercial Property to make investments in accordance with the Commercial Property Strategy, subject to approval of scheme funding of up to £5m by the Strategic Assets Purchasing Committee and approval by Council of schemes for over £5m.

9 **FINANCE UPDATE**

Consideration was given to the joint report of the Chief Operating Officer and the Head of Finance, Procurement and Commercial Property, which provided a summary of the revenue outturn position for the 2019/20 financial year, an assessment of the impact of the coronavirus on the Council's finances and updates to the Housing capital programme, including the business plan for the Council's Development Company and associated actions.

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

A vote was taken, the Motion was carried.

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 revenue outturn position for 2019/20 be noted.
 - B. That the estimated financial impact of the coronavirus be noted and kept under review during the current financial year.
 - C. That the proposed amendments to the Housing Revenue Account (HRA) capital investment programme, the Tawd Valley Development Limited (TVDL) business plan, and the associated actions set out in section 10 of the report be endorsed for approval by Council.
 - D. That, subject to Council approving paragraph 3.3 of the report, that the acquisition and development of the Halton Castle site in Westhead on behalf of the HRA be agreed in principle and authority be given to the Chief Operating Officer to carry out all necessary due diligence and thereafter enter into all necessary arrangements with regard to the proposed purchase and development of the site for Council housing.
 - E. That call in is not appropriate for this item as this matter is one where urgent action is required given the timescales for the Halton Castle site scheme.
 - F. That, in accordance with item 6 'Confirmation of Procedural Matters' on the agenda in relation to the establishment of the Tawd Valley Development Shareholders Cabinet Working Group, Council be recommended to amend the existing delegation to the Chief Operating Officer set out in Constitution 4.2A: Scheme of Delegation to Chief Officers, to read:
"31. That the Chief Operating Officer, In consultation with the

Tawd Valley Developments Shareholders Cabinet Working Group, be authorised to determine all matters, as the Shareholder for Tawd Valley Development Company, on behalf of the Council."

10 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 (financial/business affairs) of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

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

11 MATTERS REQUIRING DECISIONS

Consideration was given to report relating to the following matters requiring decisions and contained on pages 71 to 84 of the Book of Reports.

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

Consideration was given to the report of the Corporate Director of Place & Communities, which provided an update on the current position in relation to the Leisure Contract as a consequence of COVID-19 and sought approval to the proposed approach for the next nine months (July 2020-March 2021)

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, subject to the approval of Council of the financial and resource implications as set out in section 9 of the report, authority be given to the Corporate Director of Place & Community to enter into all necessary documentation to extend the leisure contract between the Council, West Lancashire Community Leisure Trust and Serco to 31 March 2021.
- B. That, following the lifting of Central Government restrictions in relation to Leisure Centre operations, the West Lancashire facilities should be reopened using Option 2 as detailed in section 7.2 of the report.

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- C. That call in is not appropriate for this item as this matter is one where urgent action is required because of the need to avoid a "no contract" situation arising and the risk of Serco walking away from the contract.

(Note: Councillor Coughlan left the meeting whilst this item was under consideration.)

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Leader