

**EXECUTIVE OVERVIEW & SCRUTINY
COMMITTEE**

HELD: Thursday, 2 September 2021

Start: 7.00 pm

Finish: 8.35 pm

PRESENT:

Councillor: A Owens (Chairman)

Councillors: N Furey (Vice-Chair) C Coughlan
P O'Neill E Pope
I Rigby A Sutton
D Westley M Westley

Officers: Alan Houghton, Interim Head of Growth and Development
Stephen Benge, Principal Planning Officer
Helen Hatch, Senior Planner and S106/CIL Officer
Laura Lea, Homelessness and Private Sector Housing Manager
Rebecca Spicer, Insurance and Risk Officer
Tom Dickinson, Principal Solicitor
Julia Brown, Member Services Officer

22 APOLOGIES

Apologies were received on behalf of Councillor T Devine.

(Note: The Chairman welcomed Alan Houghton, Interim Head of Growth and Development to the meeting).

23 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillor D Whittington and the appointment of Councillor Mrs M Westley for this meeting only, thereby giving effect to the wishes of the Political Groups.

24 URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

25 DECLARATIONS OF INTEREST

There were no declarations of interest.

26 DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

27 MINUTES

RESOLVED: That the Minutes of the meeting held on 24 June 2021 be received as a correct record and signed by the Chairman.

28 PUBLIC SPEAKING

There were no items under this heading.

29 RELEVANT MINUTES OF CABINET

Consideration was given to the Minutes of Cabinet held on 20 July 2021 as contained on pages 113 to 114 of the Book of Reports.

RESOLVED: That the Minutes of Cabinet held on 20 July 2021 be noted.

30 MEMBER DEVELOPMENT COMMISSION - MINUTES OF THE MEETING HELD ON 6 JULY 2021

Consideration was given to the Minutes of the Member Development Commission held on 6 July 2021 as contained on pages 115 to 118 of the Book of Reports.

RESOLVED: That the Minutes of the Member Development Commission held on 6 July 2021 be noted.

(Note: The Chairman requested in agreement with the Committee that the order of business be varied to allow agenda items 13 and 14 to be heard prior to the Planning related items at agenda items 10,11 and 12).

31 THE PLANNING SERVICE REVIEW - UPDATE

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 119 to 132 of the Book of Reports, which outlined the proposed actions and updated Members on the progress with implementing the recommendations of the planning services review.

The Interim Head of Growth and Development outlined the report and explained that a Working Group, made up of cross departmental representatives, led by the Corporate Director Place and Community had met on a regular basis to drive the implementation of the recommendations. Each recommendation was grouped according to a theme and documented. He explained that the Action Plan is now in the 'delivery phase' and that the Group will meet on a regular basis, currently at least fortnightly, to monitor and advance delivery of the actions and that progress on this will be reported to the Our Future; Our People Transformation Programme Board and Cabinet as appropriate.

He also explained that in reviewing the structure of the Planning Service, it was determined that the creation of a Team Leader post would give capacity within the service, to deal with the demands of the daily workload and to assist in taking the recommendations forward. He also explained that the costs of the new post would be funded through existing underspends in the Environmental Services and Growth and Development budgets. These are recurring underspends and no future growth will be required other than for usual pay increases.

In discussion comments and questions were raised in respect of:

- Support for the Planning Services Team Leader post – budget and future of the post
- Initial focus on 'quick wins'
- Action Plan – questions in respect to the length of the review and the end target date for the process to be considered
- Red Quadrant – 'process mapping' - ongoing work to develop the Action Plan, in order to identify efficiencies / better ways of working

RESOLVED:

- A. That the Planning Services Review update report be considered and noted.
- B. That the Committee fully support the creation of a Planning Services Team Leader post.
- C. That the Committee request a progress update report including target start and completion dates against the 83 actions contained within the Action Plan, to be presented to the Executive Overview & Scrutiny Committee meeting to be held on 13 January 2022.

32

TIMETABLE FOR LOCAL PLAN PREPARATION

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 119 to 132 of the Book of Reports which was to consider an updated timetable and Local Development Scheme for the preparation of a new Local Plan for West Lancashire, in light of the delays caused by the Covid-19 pandemic, changes in staffing in the Growth and Development Service and anticipated changes to what may be required of Local Plans under the proposals in the recent Planning White Paper.

The Principal Planning Officer outlined the report including details set out in the Local Development Scheme (updated September 2021). He explained that whilst a Local Development Scheme (LDS) was approved relatively recently by Cabinet (in March 2021), it is now considered necessary to amend the LDS to reflect changes in staffing, and also to allow for an extra stage of consultation to take place in autumn 2022, to give stakeholders an additional chance to comment on the new Local Plan's proposed housing and employment land requirements, and on proposed site allocations.

Comments and questions were raised in respect of the following:

- Possible impact of proposals arising from the Government's Planning White Paper
- Extra stage of public consultation in 2022 supported
- The report and updated timetable / timescales supported

RESOLVED: That the content of the Timetable for Local Plan Preparation report and

the September 2021 Local Development Scheme within Appendix A be supported by the Committee

33 DRAFT CIL FUNDING PROGRAMME 2022/23

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 161 to 234 of the Book of Reports, which was to seek authority to publicly consult on the draft CIL Funding Programme for 2022/23, including options regarding which infrastructure projects might be prioritised to receive CIL funding in 2022/23.

The Senior Planning & CIL / S106 Officer outlined the report. She explained that officers had assessed a number of projects as set out in the report including the Neighbourhood CIL non-parish areas Ormskirk and Skelmersdale. She advised that in preparing the assessment of the projects that an e-mail of the draft assessment had been sent to all Members for their comment, no comments were received in respect of this.

She advised that the three projects shortlisted for CIL monies were as follows:

- Dial-a-Ride, Borough wide (Year two) – demand responsive transport Services for West Lancashire (£31,555 of CIL sought to help fund the service for one year with c.£154,700 of match funding)
- Creation of an active Community hub at Skelmersdale Ecumenical Centre, Skelmersdale (£37,650 of CIL sought)
- Installation of a mile-long 'track and trim' trail at St James' Primary School, Ashurst, Skelmersdale (£10,760 of NCIL sought with £20,000 match funding)

In discussion comments and questions were raised in respect of St James 'track and trim' trail:

- Whether it could be considered a Community facility / infrastructure?
- Operating hours / key-holders and accessibility of facility within school grounds
- Use by community/organisations e.g. Scouts
- Question of whether a need arises as result of local new housing development
- Facility's help to address issues of health and mobility
- Considerations for open spaces in the Community

RESOLVED: That the content of the draft CIL Funding Programme 2022/23 report be noted.

34 CORPORATE RISK REGISTER

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services as contained on pages 235 to 252 of the Book of Reports, which provided an update on the Council's Risk Management Framework.

The Risk and Insurance officer informed that it is now standard practice to present the report to Executive Overview & Scrutiny Committee and Cabinet every 6 months. She went on to explain that all staff have been offered 'Risk Management / Pentana' training, which is also available on the intranet for staff that were unable to attend. The training now forms part of an employee's mandatory induction process.

In discussion, Members expressed that they would like to receive future copies of the staff magazine 'Risk Roundup' on risk management and agreed that it be circulated by e-mail to all Members.

She also informed that a 'Horizon Scanning Workshop' would be held in October, this will consist of an initial survey, following with workshop to discuss the findings. It was also noted that risk management is a standard item at quarterly DMT meetings.

She detailed the three new risks added to the register, 'Failure or Prolonged loss of ICT', 'Failure to Deliver Skelmersdale Town Centre Phase 1', and 'Not agreeing on and delivering a sustainable and affordable leisure provision'. It was also explained how the risks have been rescored using the new Corporate 4 x 4 risk matrix which helps to 'force decision'.

She explained that there was a typing error on page 249 of the report in relation to 'Achieving a balanced GRA - The new vision is to be financially stable by the end of 2024' and that this should read by the end of 2023. She informed Members that this would be amended on the internal risk information system accordingly.

Comments and questions were raised in respect of the following:

A Member raised a question in respect of the risk 'Failure to deliver Skelmersdale Town Centre phase 1 retail development' in respect of the internal control column not reflecting that a report will be submitted to Council in October in respect of the costs/progress versus original business case. Also, a further question was raised in respect of the impact being rated as 'low'.

The Risk and Insurance Officer responded and confirmed that the 'risk owner' will update the internal controls and impact to reflect the comments in the report being submitted to Council in October.

Questions were also raised in respect of the risk 'Failure for Tawd Valley Developments to deliver the Business Plan agreed by Council' in respect of an understanding as to why the risk is reported as 'concerned' and based on the current 1 year period as opposed to the 5 year plan. The Committee requested an explanation for the 'concerned' score for this risk.

It was confirmed that the 'risk owner' had been unable to attend the meeting and members present expressed disappointment at this. The Risk and Insurance Officer offered to contact the 'risk owner' to formulate a response for Members of the Committee in respect of this.

A motion to request that the Risk Management Framework & Corporate Risk Report be presented to the next Audit & Governance Committee and that the 'risk owner' of 'Failure for Tawd Valley Developments to deliver the Business Plan agreed by Council' be invited to attend the meeting, was moved and seconded.

An Amendment to the motion was moved and seconded as follows:
"That the Risk Management Framework & Corporate Risk Report be presented to the next Audit & Governance Committee and that the 'risk owners' of all the risks rated as 'concerned' under the current risk assessment score be invited to attend the meeting."

A Vote was taken, the Amendment was LOST

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

RESOLVED:

- A. That the progress made in relation to the management of risks shown in the Corporate Risk Register (Appendix B) be noted and endorsed subject to B. below.
- B. That the Risk Management Framework & Corporate Risk Report be presented to the next Audit & Governance Committee and that the 'risk owner' of 'Failure for Tawd Valley Developments to deliver the Business Plan agreed by Council' be invited to attend the meeting.
- C. That future copies of the staff magazine 'Risk Round Up' on risk management be circulated by e-mail to all Members.

(Note: The Chairman requested in agreement with the Committee that the order of business be varied to allow agenda items 13 and 14 to be heard prior to the Planning related items at agenda items 10,11 and 12).

35 **MOBILE HOME FIT & PROPER PERSON POLICY 2021**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 253 to 282 of the Book of Reports which was to consider and agree the Mobile Homes Fit and Proper Person Policy 2021.

The Homelessness and Private Sector Housing Manager outlined the report and details of the introduction of the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) Regulations 2020. She explained that the deadline for submission of Applications is 1 October 2021. She also gave details of the background checks, exemptions, fees / charges and maintaining the register.

In discussion, it was felt that the new regulations will have a positive impact and ensure that the sites are managed responsibly and in a professional manner.

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RESOLVED: That the Mobile Home Fit & Proper Person Policy 2021 attached at Appendix 1 be presented to Cabinet for approval.

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Chairman