

**EXECUTIVE OVERVIEW & SCRUTINY  
COMMITTEE**

**HELD: Thursday, 21 October 2021**

Start: 7.00 pm

Finish: 9.37 pm

**PRESENT:**

Councillor: A Owens (Chairman)

Councillors: N Furey (Vice-Chair) C Coughlan  
T Devine S Gregson  
P O`Neill I Rigby  
A Sutton D Westley  
Mrs M Westley D Whittington

Officers: Fiona Graham, Head of Housing and Regulatory Services  
Derek Jackson, Interim Corporate Finance Manager  
Peter Morrison, Service Improvement & Special Projects Manager  
Helen Hatch, Senior Planner and S106/CIL Officer  
Stephen Benge, Principal Planning Officer  
Laura Lea, Homelessness and Private Sector Housing Manager  
Jonathan Mitchell, Housing Strategy & Development Programme  
Manager  
Helen Morrison, Customer Experience & Communications  
Manager  
Adam Spicer, Assistant Solicitor  
Julia Brown, Member Services Officer

43 **APOLOGIES**

There were no apologies for absence received.

44 **MEMBERSHIP OF THE COMMITTEE**

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

The Committee also noted a permanent change of Membership where Councillor S Gregson replaced Councillor G Owen.

45 **URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN**

There were no urgent items of business.

46 **DECLARATIONS OF INTEREST**

Councillor I Rigby declared a non-pecuniary interest in relation to Item 11 'Private Rented Sector Electrical Safety Policy 2021' and Item 12 'Minimum Energy Efficiency Safety Policy 2021' as a landlord of property in the Borough.

**47 DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

**48 MINUTES**

RESOLVED: That the Minutes of the meeting held on 23 September 2021 be received as a correct record and signed by the Chairman.

**49 PUBLIC SPEAKING**

There were no items under this heading.

**50 RELEVANT MINUTES OF CABINET**

Consideration was given to the Minutes of Cabinet held on 14 September 2021 as contained on pages 315 to 320 of the Book of Reports.

RESOLVED: That the Minutes of Cabinet held on 14 September 2021 be noted.

**51 CAPITAL PROGRAMME MID YEAR REVIEW**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 321 to 334 of the Book of Reports which was to agree a revised General Revenue Account (GRA) Capital Programme for 2021/22 and to provide an update on progress on capital schemes.

The Interim Corporate Finance Manager provided an overview of the report referring to details set down in the report and appendices.

In discussion comments and questions were raised in respect of:

- Overspend on Electric Vehicle charging points - It was explained that a grant received in respect of this and a further grant from the Department of Transport is expected.
- Which of the Capital projects detailed in Appendix A have been Completed; In progress; not commenced and therefore at risk of slippage into 2022/23 (Members were informed that details of this information will be circulated following the meeting)
- How the target of 50 house sales is expected to be met by the end of the year when 10 sales have only been met mid-year. It was explained that there is a backlog to clear Right to Buy applications and there have been staffing issues, however resources have been diverted to address this in order to achieve target.

The Chairman suggested that it would be beneficial to receive information and to be kept informed of what is going well and what is not going well.

The Interim Corporate Finance Manager made an undertaking to incorporate the breakdown of capital expenditure into completed; in progress; not commenced

categories in future reports regarding capital, together with information as to what is going well and what is not going well.

RESOLVED:

- A. That the revised Capital Programme, including the re-profiling, virements and budget adjustments contained within Appendix A, be approved and referred to Cabinet and the Head of Finance, Procurement and Commercial Services in consultation with the relevant Portfolio Holders.
- B. That progress against the Revised Capital Programme at the mid-year point be noted.

(Note: The Chairman welcomed the Interim Corporate Finance Manager to the meeting)

52 **HOUSING REVENUE ACCOUNT - REVENUE AND CAPITAL MID-YEAR REVIEW**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 335 to 344 of the Book of Reports which provided a summary of the Housing Revenue Account (HRA) and Housing Capital Programme positions for the 2021/22 financial year.

The Interim Corporate Finance 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 Wates unsubstantiated contract claims in respect of Brexit and Covid business cases. She explained that these costs will be mitigated through various processes. She also informed that this is being looked at in detail with Legal and that Members will be kept informed in respect of this.

In discussion comments and questions were raised in respect of:

- Wates unsubstantiated contract claims – Brexit and Covid business cases
- Escalating building costs / shortage of tradespersons
- Overspend on responsive repairs / financial stability of Wates
- Update on proposal to build Carbon Neutral Dwellings - The project is still in the procurement phase, and this is currently progressing
- Re-roofing works
- Walls

RESOLVED: That the 2021/22 HRA and Housing Capital Programme positions be noted.

**53 PRIVATE RENTED SECTOR ELECTRICAL SAFETY POLICY 2021**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 345 to 364 of the Book of Reports which was to consider and agree the Private Rented Sector Electrical Safety Policy 2021.

The Homelessness and Private Sector Housing Manager outlined the report, detailing the introduction of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 which came into force on 1 June 2020, and as of 1 April 2021 apply to all private rented tenancies and licences to occupy. The purpose of the Regulations is to improve safety in all residential premises, particularly the private rented sector.

She informed Members that in respect of the 'financial and resource implications' as set out at paragraphs 11.1 and 11.2 of the report, which detailed that a further FTE equivalent post would be required to ensure the Council can meet its legal obligations, was no longer required due to a recent staff restructure.

In discussion, the following comments and questions were raised:

- It was suggested that it be specified that electrical installations are 'signed off' by a qualified and competent person according to British Standard Regulations)
- Communication of the Private Rented Sector Electrical Safety Policy 2021
- Legal Challenges / fair warning
- Members welcomed the introduction of the Policy

**RESOLVED:** That the Private Rented Sector Electrical Safety Policy 2021 attached at Appendix 1 to the report be presented to Cabinet for approval.

(Note: Councillor I Rigby left the Chamber for the duration of this item)

**54 MINIMUM ENERGY EFFICIENCY STANDARD ENFORCEMENT POLICY**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 365 to 390 of the Book of Reports which was to consider and agree the Minimum Energy Efficiency Standard Enforcement Policy.

The Homelessness and Private Sector Housing Manager outlined the report explaining that the regulations first came into force on 1 April 2018 but were amended in 2020. She explained that they were brought in to tackle the least energy efficient private rented properties in England and Wales.

In discussion the following feedback and comments were raised:

- Promotion / Education of the Policy
- Details of properties EPC ratings available on-line
- Tenants are provided with an Energy Efficiency Certificate

- Enforcement and financial penalties
- Funding Improvement Schemes available to Landlords

RESOLVED: That the Minimum Energy Efficiency Standard Enforcement Policy attached at Appendix 1 of the report be presented to Cabinet for approval.

(Note: Councillor I Rigby was not present in the Chamber for the duration of this item)

**55 TENANCY STRATEGY 2022-2025**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 391 to 432 of the Book of Reports which was to seek approval for the publication of the Tenancy Strategy 2022-2025.

The Housing Strategy & Development Programme Manager outlined the report and explained that the introduction of the Tenancy Strategy 2022-2025 is written from the Council's strategic perspective as the Local Housing Authority. He informed that this would replace the 2013 version of the Strategy, although the core principles of this remain relevant.

He also explained that the Tenancy Strategy must be given 'due regard' by Registered Providers when publishing their own tenancy policy.

The Consultation will be open to Registered Providers between 15 November 2021 and 9 January 2022. The Strategy will be published at the end of January 2022. It was noted that there are 21/22 regulatory providers including WLBC within the Borough.

The Chairman suggested proposed amendments in respect of paragraphs 7.23, 7.26, 7.34 and 7.41 of the Draft Tenancy Strategy 2022-2025, in relation to the perspective of making best use of social housing stock and providing a tenancy with more security of tenure where appropriate and only using flexible tenancies on rare occasions.

RESOLVED: That the Tenancy Strategy 2022-2025 be presented to Cabinet for their consideration.

(Note: Councillor I Rigby returned to the Chamber at the commencement of this item)

**56 CUSTOMER FEEDBACK POLICY**

Consideration was given to the report of the Corporate Director of Transformation and Resources as contained on pages 433 to 456 of the Book of Reports which was to seek approval of the new Customer Feedback Policy (previous Complaints Policy).

The Customer Experience & Communications Manager outlined the report and explained that the current complaints process had been in place since 2015.

She informed that a review had been undertaken to ensure the policy is up to date, meets good practice guidance of the Local Government & Social Care Ombudsman and the expectations of the Ministry of Housing Communities and Local Government White Paper published in November 2020, which sets out clear expectations for landlords in relation to handling complaints and evidence of learning. As such, activities were undertaken as part of the review, to develop the Customer Feedback Policy which are detailed at Appendix 2 of the report.

She went on to inform that the number of stages has reduced from three to two and once approved, the Website / Intranet would be updated in line with new procedure.

It was also noted that data will be analysed to identify trends, to improve or change services as required. Learning from complaints will be documented and published on the Council's Website which will evidence delivery of the Councils 'We Will' statement of 'Listen and provide feedback to customers about how their views have improved services'.

The Committee welcomed the excellent report. It was also recognised that it was important to promote positive feedback as well.

RESOLVED: That the new Customer Feedback Policy be supported by the Committee and presented to Cabinet for approval.

57

## **CORPORATE PEER CHALLENGE**

Consideration was given to the report of the Chief Operating Officer as contained on pages 457 to 464 of the Book of Reports, which advised that the Local Government Association will be supporting the Council with a Corporate Peer Challenge (CPC) in the coming months.

The Service Improvement & Special Projects Manager outlined the report detailing the background of the LGA, who provide a range of resources and tools to help Councils with support and challenge to improve. He explained that in Autumn 2019, the LGA had invited the Council to take part in a CPC, however this was put on hold due to the Covid pandemic. He then went on to outline the CPC process and the indicative timetable as set out at Appendix 1 to the report.

In discussion comments and questions were raised in respect of:

- Financial and resource implications /officer time
- Welcome of the review
- Publication of results
- Involvement of all Political Leaders in discussions

**RESOLVED:**

That the content of the report be noted and that the following agreed comments of Executive Overview & Scrutiny Committee be presented to Cabinet for their consideration.

1. That the full results of the Corporate Peer Challenge be published subject to the redaction of commercially exempt information.
2. That all Political Leaders be invited to participate in the scoping meeting with the Local Government Association ahead of the onsite review.

**58 FOOD INSECURITY**

Consideration was given to the report of the Chief Operating Officer as contained on pages 465 to 512 of the Book of Reports which was to share with Members the findings report following a research study into food insecurity within West Lancashire and to recommend actions for implementation that will help tackle food insecurity within the Borough in a dignified way and help address the root causes.

The Service Improvement & Special Projects Manager outlined the report and explained that Iconic Consulting were appointed for the commissioning of a study to examine food insecurity within the Borough. This was due to start in March 2020, however this was paused due to the Covid-19 pandemic. The research began in September 2020 involving several tasks listed at paragraph 4.3 of the report, which also included a number of feedback sessions.

He went on to outline the key findings from the research and the impact Covid has had on food insecurity and informed that the established food banks in the Borough had distributed an average of 405 food parcels per week between the start of July to the end of December 2020.

He informed that a number of opportunities could be implemented relatively quickly, including the establishment of a cross-sector food insecurity forum, led by a WLBC Officer.

In discussion comments and questions were raised in respect of:

- Trussell Trust food bank users In West Lancashire 2020 (Wards data)
- Drivers of food insecurity and food bank use
- Significant increase of foodbank use during Covid-19 pandemic
- Thanks to Citizens and Businesses for their support and generous donations to the foodbanks in the Borough

The Chairman had received a statement from Councillor R Cooper, which was read out to the Committee on his behalf:

"I have a special interest in Food Insecurity, as my wife, Claire Cooper initiated this research when she was Community Portfolio Holder. I had a number of questions/challenges after having read this report, which Peter Morrison kindly answered in a conversation on Wednesday morning.

Peter assured me that he had looked to identify a local organisation before putting a tender out nationally for this research contract.

We agreed that it would be of great benefit to have a register of local businesses and the goods and services that they could provide. Then commissioning officers could look to that register first before searching for organisations in the wider regional/national area.

Another of my concerns was that the statistics were not detailed enough. Peter assured me that regular consultations were held which covered details that could not be included in the report.

We both agreed that we have a good understanding of the issue in our towns, but not so much in the Northern Parishes and the more rural areas.

Hopefully, the new cross-sector forum will investigate this further as it takes the recommendations forward.

I'd like to express my thanks to Peter for finding time to answer my queries on this report".

**RESOLVED:** That the Committee thank all involved and fully support the report for presentation to Cabinet for their consideration.

(Note: The Chairman declared a non-pecuniary interest at this item in respect of café Birchwood in relation to his position as a Trustee of the Birchwood Centre, and explained that he would not partake in consideration of this item if detailed discussion should occur in respect of this).

59

## **DATA QUALITY POLICY**

Consideration was given to the report of the Corporate Director of Transformation and Resources as contained on pages 513 to 524 of the Book of Reports which was to seek approval of the new Data Quality Policy.

The Customer Experience & Communications Manager outlined the report, which informed that the new Data Quality Policy will have in place arrangements for the data collected and used by both the Council and Partners, to ensure that the management of such data is of high quality, accurate, valid, reliable, timely and complete in nature.

She also explained that during the development of the Policy, Key Stakeholders had been engaged and that other similar Councils were also considered.

It was noted that further to agreement at Cabinet, the Policy will be communicated across the Council to ensure robust data quality management is in place in line with the Policy.

The Members of the Committee thanked Officers for the report.

**RESOLVED:** That the new Data Quality Policy be presented to Cabinet for approval.



**60 GREATER MANCHESTER COMBINED AUTHORITY 'PLACES FOR EVERYONE'  
STATEMENT OF COMMON GROUND**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 525 to 600 of the Book of Reports, which was to seek agreement to the Leader of the Council signing a Statement of Common Ground covering cross-boundary spatial planning matters with Greater Manchester Combined Authority partner authorities, as required under the Duty to Co-operate.

The Principal Planning Officer outlined the report and explained that the Greater Manchester Combined Authority along with ten local authorities make up the Greater Manchester area has been preparing a development plan to cover the area. He advised that Stockport Council withdrew from the process, but the remaining nine authorities have continued to work together in preparing a plan entitled 'Places for Everyone'.

He went on to inform that, as its response to the recent consultation on the Places for Everyone plan (not the subject of this report), WLBC expressed the view that the document is 'sound' but requested a minor modification to the text of the Plan so that it acknowledges the proposed Skelmersdale Rail Link, linking both to Merseyside and to Greater Manchester, in order to help support the case for the proposed scheme.

He outlined that the Statement of Common Ground (the subject of this report) sets out how the Combined Authority has engaged with its neighbours in preparing the 'Places for Everyone' plan; the strategic, cross boundary, planning-related issues and the current position in the City Region regarding those issues. The Cabinet report is expressing the view that this engagement has been satisfactory and that it is recommended that the Leader sign the Statement of Common Ground on behalf of West Lancashire Borough Council.

In discussion Members felt the report had addressed all concerns raised and felt encouraged in respect of this and that the Statement of Common Ground provided at Appendix A be agreed for signature by the Leader of the Council.

**RESOLVED:** That the Committee support the 'Places for Everyone' Statement of Common Ground provided at Appendix A to be presented to Cabinet, to be agreed for signature by the Leader of the Council.

**61 LOCAL PLAN REGULATION 18 (SCOPE, ISSUES & OPTIONS) CONSULTATION**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 601 to 1224 of the Book of Reports, which was to seek authorisation to publicly consult on the scope of a new Local Plan and on the West Lancashire Local Plan 2023-2040: Issues & Options material.

The Principal Planning Officer outlined the report and informed that preparation of the Local Plan started in September 2019 but stopped temporarily due to Covid-19 pandemic and work recommenced in March 2021. He outlined the details of the

'scope' of the new Plan and what it is intended to cover.

He informed that should Cabinet approve the public consultation on the Scope of the Local Plan and on Issues & Options, the consultation is intended to run between 18 November 2021 and 27 January 2022, which is a longer than 'usual' period due to spanning the Christmas and New Year period.

Questions and comments were raised in respect of the following:

- Timescale pressures / consultation timescales
- Resources
- Not enough time to scrutinise lengthy documents
- LPCWG provided with 'Portrait of West Lancashire' for comment
- The possibility of making minor amendments to the Local Plan 2023-2040 Issues & Options material (Appendix A)
- Changes that are deemed 'non-minor' can be considered through the consultation process

RESOLVED: That the following agreed comments be considered by Cabinet:

A. That the recommendation at 3.2 of the report be amended to read:

'That the Local Plan 2023-2040 Issues & Options material (provided at Appendix A) be approved for public consultation, **subject to any minor amendments made by the Interim Head of Growth and Development in consultation with the Portfolio Holder**, and that comments on the scope of a new Local Plan also be sought as part of this public consultation'.

B. That the Local Plan Cabinet Working Group meet more frequently to consider documents.

C. That although the documents have been through scrutiny, there has not been enough time to scrutinise every document.

62

## **INFRASTRUCTURE FUNDING STATEMENT 2021**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 1225 to 1278 of the Book of Reports, which introduced the Infrastructure Funding Statement (IFS) for 2021 and seeks comments prior to seeking Cabinet approval to publish the report.

The Senior Planning & CIL / S106 Officer outlined the report and informed that CIL Regulations now require Councils to report annually on their CIL and S106 receipts and expenditure through an annual IFS report and to publish this on the Council website by 31 December.

In discussion, the Chairman suggested a review be taken of the pros and cons of funding flood alleviation through CIL as other Local Authorities do.

Comments and questions were raised in respect of the use of CIL for flood alleviation, including:

- Why flood alleviation is not funded through CIL –
- Possible review pros and cons of including flooding as an infrastructure type in future IFS's
- Highways and drainage
- Infrastructure / canal towpath / access to leisure
- Developer obligations to mitigate flood risk
- Periodic review of policy documents (Governance and Expenditure)

**RESOLVED:** That the Committee note the content of the Infrastructure Funding Statement report and that the report be presented to Cabinet for their consideration.

.....  
**Chairman**