



Jacqui Sinnott-Lacey  
Chief Operating Officer

52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

Tuesday, 5 October 2021

**TO: THE MAYOR AND COUNCILLORS**

Dear Councillor,

You are summoned to a meeting of the **COUNCIL** to be held in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK L39 2DF** on **WEDNESDAY, 13 OCTOBER 2021** 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 or watermark.

Jacqui Sinnott-Lacey  
Chief Operating Officer

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

**PAGE(S)**

1. **APOLOGIES**
2. **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.) 321 - 322
3. **MINUTES**  
To receive as a correct record, the minutes of the previous meeting held on Wednesday 21 July 2021. 323 - 332
4. **ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF OPERATING OFFICER**

5. **TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2**
6. **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) **Planning Committee - Thursday, 22 July 2021** 333 - 336
- b) **Licensing & Appeals Committee - Tuesday, 27 July 2021** 337 - 338
- c) **Audit & Governance Committee - Wednesday, 28 July 2021** 339 - 342
- d) **Planning Committee - Thursday, 9 September 2021** 343 - 348
- e) **Standards Committee - Tuesday, 21 September 2021** 349 - 352
7. **OVERVIEW & SCRUTINY ANNUAL REPORT 2020/21**  
To consider the report of the Corporate Director of Transformation & Resources. 353 - 370
8. **REVIEW OF THE MEMBERS' CODE OF CONDUCT**  
To consider the report of the Legal and Democratic Services Officer & Monitoring Officer. 371 - 444
9. **APPOINTMENT OF VICE CHAIRMAN OF PLANNING COMMITTEE**  
To consider the report of the Corporate Director Transformation & Resources. 445 - 446
10. **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 3 & 5 (Financial/Business Affairs & Legal Professional Privilege) 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**
11. **TAWD VALLEY DEVELOPMENTS LTD - BUSINESS PLAN**  
To consider the report of the Corporate Director of Place & Community. 447 - 460
12. **SKELMERSDALE TOWN CENTRE - FINANCIAL POSITION**  
To consider the report of the Head of Finance, Procurement & Commercial Services. 461 - 474

## PART 3 - OPEN TO THE PUBLIC

### 13. MOTIONS

To consider the following Motions included on the agenda at the request of the Members indicated:

a) **Urgent post-Covid Review of Business Rates - Motion from Cllr Gareth Dowling on behalf of the Labour Group**

"This Council believes that healthy high streets are essential for employment, shopping and leisure but many shops and businesses were struggling even before the Covid pandemic: high street retail employment fell in more than three-quarters of local authorities between 2015 and 2018 according to the Office of National Statistics<sup>1</sup> and more than half of all UK consumers were shopping online before the pandemic<sup>2</sup>.

This Council notes retail is among the sectors most affected by the coronavirus pandemic; the almost complete shutdown of non-essential shops between March and June 2020 and subsequent local and national lockdowns and ongoing restrictions has hit businesses hard, and the need for social distancing has changed the way many businesses operate reducing footfall. The pandemic has accelerated what in many cases has been a longer trend of lower footfall and changing shopping habits: as the Portas Review a decade ago acknowledged, the form and function of many high streets needs to adapt if they are to survive.

This Council welcomes the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, the Covid support business loans, and grants and the High Street Taskforce. However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on "bricks and mortar" businesses compared to online ones, and the Business Rate system needs radical overhaul<sup>3</sup>.

This Council resolves to write to the Chancellor to encourage him to undertake an urgent review of business rates with a view to further supporting shops and businesses in recovering from the pandemic."

1 <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/highstreetsingreatbritain/ma>

2 <https://www.retail-insight-network.com/features/uk-online-shopping-growth/>

3 [https://publications.parliament.uk/pa/cm201919/cmselect/cmtreasy/222/22203.htm#\\_idTextAnchor00](https://publications.parliament.uk/pa/cm201919/cmselect/cmtreasy/222/22203.htm#_idTextAnchor00)

b) **Planning Reforms - Motion from Councillor Nicola Pryce Roberts on behalf of the Labour Group**

"This Council believes planning works best when developers and the local community work together to shape local areas. The Government's planning proposals seek to bypass local democracy. This council writes to the Government asking them to protect local democracy and the right of communities, through a robust local planning system, to object to individual planning applications."

c) **Toucan Crossing at Lordsgate Lane - Motion from Councillor Cynthia Dereli on behalf of the Labour Group**

"Recognising that a previous administration at this council was responsible for the promotion of the Yew Tree Farm site as a strategic housing site and that as YTF development is well underway the impacts of increased traffic are already being felt including difficulties of crossing the A59 at Lordsgate Lane and the increase in standing traffic along the A59 increasing air pollution.

That the Council writes Lancashire County Council urging them as the Highway Authority to undertake as a priority, the delivery of the Toucan crossing at Lordsgate Lane on the A59 which, as well as providing the important link for WLBC's planned linear park, (ie a footpath/cycleway from Ormskirk through to Burscough town centre) is an urgently needed road safety measure for local residents."

d) **A National Care Support and Independent Living Service (NaCSILS) - Motion from Councillor Julian Finch on behalf of the Labour Group**

"West Lancashire Borough Council writes to the Government calling them to establish a new National Care, Support and Independent Living Service (NaCSILS) which is:

1. A National Care Support and Independent Living Service (NaCSILS)  
The Government shall have responsibility for and duty to provide a National Care and Supported Living Service to provide care, independent and supported living, adopting into English Law Articles from the UN Convention on rights of disabled people that establish choice and control, dignity and respect, at the heart of person-centred planning.
2. Fully funded through government investment and progressive taxation, free at the point of need and fully available to everyone living in this country.
3. Publicly provided and publicly accountable:  
The NaCSILS will have overall responsibility for publicly provided residential homes and service providers and, where appropriate, for the supervision of not-for-profit organisations and user-led cooperatives funded through grants allocated by the NaCSILS. A long-term strategy would place an emphasis on deinstitutionalisation and community-based independent and supported living. All provision will deliver to NaCSILS national standards. There will be no place for profiteering and the market in social care will be brought to an end.
4. Mandated nationally, locally delivered:  
The Government will be responsible for developing within the principles of co-production, a nationally mandated set of services that will be democratically run, designed, and delivered locally. Local partnerships would be led by stakeholders who are

delivering, monitoring, referring to or receiving supported services or budgets, e.g. organisations representing disabled people (DPOs), older people, and people who use mental health and other services, in partnership with local authorities and the NHS.

5. Identify and address needs of informal carers, family and friends providing personal support:  
The NaCSILS will ensure a comprehensive level of support freeing up family members from personal and/or social support tasks so that the needs of those offering informal support, e.g. family and friends, are acknowledged in ways which value each person's lifestyles, interests, and contributions.
6. National NaCSILS employee strategy fit for purpose:  
The NaCSILS standards for independent and supported living will be underpinned by care and support staff or personal assistants who have appropriate training, qualifications, career structure, pay and conditions to reflect the skills required to provide support services worthy of a decent society.
7. Support the formation of a taskforce on independent and supported living with a meaningful influence, led by those who require independent living support, from all demographic backgrounds and regions. This would also make recommendations to address wider changes in public policy."

e) **In support of West Lancashire Pride - Motion from Councillor Adam Yates on behalf of the Labour Group**

"This council, like all public sector bodies, has a duty under the requirements of the Equality Act 2010 to "consider all individuals when carrying out their day-to-day work – in shaping policy, delivering services and in relation to their own employees."

We have a duty to promote and protect the rights of those in our communities and we have an obligation to "eliminate discrimination" and "advance equality of opportunity."

The recent establishment of a West Lancashire Pride Group makes this a particularly significant time to show our support for our local LGBTQIA+ community, and to stand up to the vile and unwarranted homophobic and discriminatory attacks that unfortunately still occur in our society.

This council resolves to:

- 1) Purchase and fly a Pride flag over the council offices during 'Pride Month' in June of each year.
- 2) Ensure details of how to report hate crimes are promoted on the council website and social media channels.
- 3) Promote and support National Hate Crime Awareness Week,

which runs during October each year, via the council website and social media channels, and in its work with relevant partner agencies such as Lancashire Constabulary, Lancashire County Council, and others.

- 4) Allow West Lancashire Pride Group in line with other community groups the free use of council premises for meetings in order to help the group establish itself and promote its work on inclusiveness."

f) **Appointment of Youth Champion - Motion from Councillor Ian Moran on behalf of the Labour Group**

As local leaders who know their communities well, Councillors are ideally placed to understand the services and support needed and wanted for young people in the Borough.

Councils may not be in a position to directly deliver or commission all youth provision but their ability to influence and support such provision is invaluable.

Consultation with young people and our partners is key and the Council recognises that we need the involvement and participation of children and young people in decisions that affect them or in matters which may have an impact on their lives.

The Council recognises the excellent work being undertaken by the Education Authority Youth Service, particularly their work with the Youth Councils in this area. The Youth Service sees the participation of young people as a key priority and their aim is to focus on the active participation of young people "*... to support the development of a credible, democratic and accountable voice for young people.*"

In support of this aim the Council has entered into a formal Partnership with the local Youth Councils and, among other things, this Partnership:

- Recognises the local Youth Councils as a representative voice for young people in the West Lancashire Borough Council area.
- Commits the Council to include young people in Council consultations with regard to local services provision and Community Planning.
- Provides opportunities for the Youth Council to pro-actively engage and participate in activities with the Mayor and Councillors.

In support of this excellent work, Councillor Carl Coughlan be appointed as the Council's Youth Champion to:

- "Assist the Leader and relevant Portfolio Holder to examine how all local provision (not just youth services) supports young people, identifying the outcomes that matter most to young

- people and working with partners to find ways to deliver these.
- Encourage Younger People to play a fuller role in shaping the policies of the Council and in designing its services.
- Consult with young people and our partners, including the local voluntary and community sector, faith groups, schools and employers, to involve children and young people in decisions that affect them or in matters which may have an impact on their lives.
- Act as spokesperson to promote the positive aspects of the Council's formal Partnership with the local Youth Service.
- Work to promote positive images of Younger People as citizens."

**g) Reduction in Carbon Emissions - Motion from Councillor Adrian Owens on behalf of the Our West Lancs Group**

"Recognising that the Council:

- a. Has declared a climate emergency;
- b. Has significant housing stock in need of improvements to their energy performance and;
- c. Has estates in Skelmersdale New Town requiring remodelling and regeneration

Council instructs council officers to develop costed options to also include estimates for reduction in carbon emissions for formal consideration at budget setting in February 2022 for:

- a) a retrofitting programme of energy efficiency on council housing stock and;
- b) an identified location for a third Revival project to follow the successes at Firbeck and Beechtrees"

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

**FIRE EVACUATION PROCEDURE: Please see attached sheet.**

**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@westlancs.gov.uk](mailto:jacky.denning@westlancs.gov.uk)

**FIRE EVACUATION PROCEDURE FOR:  
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT  
(52 DERBY STREET, ORMSKIRK)**

**PERSON IN CHARGE:** Most Senior Officer Present  
**ZONE WARDEN:** Member Services Officer / Lawyer  
**DOOR WARDEN(S)** Usher / Caretaker

**IF YOU DISCOVER A FIRE**

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

**ON HEARING THE FIRE ALARM**

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

**NOTES:**

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

**CHECKLIST FOR PERSON IN CHARGE**

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and informed any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and informed any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

**IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED**

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

**NOTE:**

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

**CHECKLIST FOR ZONE WARDEN**

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

**INSTRUCTIONS FOR DOOR WARDENS**

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.