

COUNCIL**HELD: Wednesday, 6 April 2022**

Start: 7.30 pm

Finish: 10.15 am

PRESENT:

Councillor: G Johnson (Mayor)

Mrs M Westley (Deputy Mayor)

Councillors:

T Aldridge

A Blundell

R Cooper

V Cummins

I Davis

N Delaney

G Dowling

S Evans

J Finch

Y Gagen

S Gregson

Howard

K Lockie

J Mee

J Monaghan

M Nixon

D O'Toole

G Owen

E Pope

Mrs D Stephenson

J Thompson

D West

D Whittington

K Wilkie

A Yates

Mrs M Blake

Clandon

C Coughlan

Daniels

C Dereli

T Devine

I Eccles

Fennell

N Furey

J Gordon

Hirrell

Jukes

Mrs J Marshall

K Mitchell

I Moran

P O'Neill

Turpin

A Owens

N Pryce-Roberts

A Sutton

Upjohn

D Westley

J Wilkie

J Witter

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer

Chris Twomey, Corporate Director of Transformation & Resources

James Pierce, Head of Finance, Procurement and Commercial Services

Lisa Windle, Head of Corporate and Customer Services

Kay Lovelady, Legal & Democratic Services Manager

Jill Ryan, Senior Member Services Officer

Simon Kirby, Interim Head of Wellbeing and Leisure Services

Thomas Lynan, Electoral Services Manager

In attendance:

Father Godric

121 **PRAYERS**

The Mayor's Chaplain for the evening, Father Godric, led Members and Officers in prayer.

At the conclusion of prayers, a special presentation was made to the Leader of the

Council, Councillor Ian Moran as he was standing down at the forthcoming May Elections.

The Chief Operating Officer, Councillors Y Gagen, D Westley, A Owens and the Mayor led speeches of thanks and appreciation to the Leader for all his service given to the Council.

The Leader and his wife were then invited by the Mayor up to the dais to receive an engraved Council Shield and some flowers.

A 5 minute break was given to allow for photographs to be taken.

122 APOLOGIES

Apologies for absence were received on behalf of Councillor Ian Rigby.

123 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillor Mrs Blake, Dereli, Gordon, Howard, Mrs Marshall, Mee, Moran, Owen, Pope, Ms Sutton, Whittington and Mrs Witter declared a non-pecuniary interest in relation to item 8 "West Lancashire Electoral Review – LGBCE Final Recommendations" in view of their membership of a Parish Council.
2. Councillors Aldridge, O'Toole, Pope and D Westley declared a non-pecuniary interest in relation to item 11a "BMI Testing of Children in West Lancashire – Motion", as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.
3. Councillor Pope declared a pecuniary interest in relation to item 11b "Medical Waste Incinerator Simonswood – Motion", as he was a member of the Development Control Committee at Lancashire County Council and indicated that he would leave the Chamber during consideration of this item.

124 MINUTES

RESOLVED: That the minutes of Council held on Wednesday 23 February 2022 be received as a correct record and signed by the Mayor with the amendments as set out below in respect of Minute No. 110 – Revenue and Capital Programme Budget Setting:-

Amendment (4) from the Our West Lancashire Spokesperson was moved and seconded as follows: "That in relation to 'QE2 Jubilee Fountain - Coronation Park', include £50,000 Capital in 2022/23 and £6,000 maintenance each year.

Amendment (3) should read Amendment (4) and Amendment (2)

should read Amendment (5)

Amendment 5 which states Amendment (5) from the Our West Lancashire Spokesperson was moved and seconded with the following amendment:-

"That the fees and charges for Planning be increased **to** £23,458." should read "**by** £23,458"

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

The Mayor announced:

- A. Mayors Charity Ball was taking place on Friday 22 April 2022 at Hurlston Hall Golf Club.
- B. That this would be the last meeting for some members of the Council as they will not be standing in the forthcoming local elections in May and thanked Councillors Ron Cooper, Noel Delaney, Cynthia Dereli, Terry Devine, Sue Evans and Kath Lockie for their service to the Council.
- C. Councillor D Westley also wished to note his thanks to Councillor Mrs Pamela Baybutt who had recently resigned in her role as Ward Councillor for Wrightington.

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

There were no items under this heading.

127 **MINUTES OF COMMITTEES**

Consideration was given to the minutes of the undermentioned meeting of the Committee shown.

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

- A. Planning Committee – Thursday 17 March 2022.

128 **WEST LANCASHIRE ELECTORAL REVIEW - LGBCE FINAL RECOMMENDATIONS**

Consideration was given to the report of the Chief Operating Officer as contained on pages 1315 to 1369 which was to inform Council of the Local Government Boundary Commission for England (LGBCE) Final Recommendations for West Lancashire.

RESOLVED: That the LGBCE Final Recommendations Report, attached at Appendix 2 to the report, be noted.

129 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.

130 LEISURE PROCUREMENT FUNDING STRATEGY

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 1371 to 1387 of the Book of Reports which, was to approve the strategy for the use of CIL funding towards the development of the Ormskirk and Skelmersdale Wellbeing and Leisure Hubs and the refurbishment of Burscough Racquets and Fitness Centre and to approve the receipt of funding from West Lancashire Community Leisure Trust to support the investment in Burscough Racquets and Fitness Centre. The report was previously submitted to Extraordinary Cabinet held 6 April 2022.

RESOLVED: That the decision of Extraordinary Cabinet held on 6 April 2022 be endorsed and the financial elements set out in section 5 of the report be approved.

(Members of the press and public were invited back into the meeting)

131 MOTIONS

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

132 BMI TESTING OF CHILDREN IN WEST LANCASHIRE - MOTION INCLUDED BY COUNCILLOR JAMES UPJOHN

The following Motion was moved and seconded:

"That this Council does not agree with BMI testing of our children in West Lancashire and believes that BMI testing is outdated and is causing serious concern for parents who receive letters saying that their children are underweight or overweight, which can cause significant distress for both parents and their children.

That the Chief Operating Officer be asked to write to the CCG, the Cabinet Member for Education at LCC, Cabinet Member for Health at LCC & our local MPs to ask that this issue can be looked at."

An amendment to the first paragraph of the Motion was moved and seconded as below:-

"That this Council is concerned that the current method of weight testing through the sole use of BMI may be flawed and a more inclusive process could be explored as the current method of testing may be resulting in unnecessary distress for parents and children".

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

RESOLVED:

- A. That this Council is concerned that the current method of weight testing through the sole use of BMI may be flawed and a more inclusive process could be explored as the current method of testing may be resulting in unnecessary distress for parents and children
- B. That the Chief Operating Officer be asked to write to the CCG, the Cabinet Member for Education at LCC, Cabinet Member for Health at LCC & our local MPs to ask that this issue can be looked at.

133

MEDICAL WASTE INCINERATOR SIMONSWOOD - MOTION INCLUDED BY COUNCILLOR IAN MORAN ON BEHALF OF THE LABOUR GROUP

The following motion was considered at the request of the Member indicated:

"That this Council calls for LCC to abandon its plans for a high waste temperature facility for medical waste to be built in Simonswood. West Lancs has had too many waste sites 'dumped' onto its residents with White Moss and Parbold hill to name a two.

That this Council believes that if the development is allowed to go ahead it would have a significant detrimental impact on the health and general amenity of many of our residents here in West Lancashire and also our neighbours in Knowsley. Enough is enough, stop dumping on the residents of West Lancashire."

An Amendment, circulated prior to the meeting, was moved and seconded.

A vote was taken, the Amendment was CARRIED.

RESOLVED:

- A. That this Council calls for LCC to refuse planning permission for a high waste temperature facility for medical waste to be built in Simonswood.
- B. West Lancashire has had too many waste sites 'dumped' onto its residents with White Moss and Parbold Hill to name a two.
- C. That this Council believes that if the development is allowed to go ahead it would have a significant impact on the health and general amenity of many of our residents here in West Lancashire and also our neighbours in Knowsley.

Enough is enough, stop dumping on the residents of West Lancashire.

(Note: Councillor Pope left the Chamber during consideration of this item as he had declared a pecuniary interest).

- 134 **TAWD VALLEY DEVELOPMENTS LTD- MOTION TO RESCIND A PREVIOUS DECISION INCLUDED BY COUNCILLORS JAMES UPJOHN, JENNY WILKIE, IAN MORAN, GARETH DOWLING, NOEL DELANEY, VICKI CUMMINS, KATH LOCKIE, ADAM YATES, SUSAN EVANS, CYNTHIA DERELI, JULIAN FINCH, CARL COUGHLAN, DONNA WEST, JANICE MONAGHAN, NICHOLA PRYCE-ROBERTS AND NEIL FUREY IN ACCORDANCE WITH SECTION 15.1 OF THE COUNCIL PROCEDURE RULES**

The following Altered Motion was moved and seconded with the agreement of the meeting:

"That the following resolution of Council held on 23 February 2022, be rescinded:

- A. That the independent review on TVDL set out in Appendix 1 be noted.
- B. That with immediate effect TVDL to stop all developments outside of the borough.
- C. That with immediate effect TVDL to stop all developments within the borough, other than those sites already in progress.
- D. That a Member Shareholder Committee be established to make any recommendations to Council, to implement a phased and controlled wind down of TVDL, comprising of 2 Labour Members, 2 Conservative Members and 1 Our West Lancashire Member for delegated decision making and scrutiny of TVDL, as follows:

Tawd Valley Developments Shareholder Committee
Membership (5 Members: 2 LAB 2 CON 1 OWL)

(Chairman) Councillor David Westley
(Vice-Chairman) Councillor Ian Davis

Functions

- (i) To approve any necessary changes to the Business Plan, if required
- (ii) To monitor and make any necessary decisions (other than to cease development/progression) in respect of the sites in progress.
- (iii) To communicate the shareholders' views to TVDL
- (iv) To evaluate the effectiveness of the TVDL board and the delivery of performance against strategic objectives and the business plan
- (v) To assess any risks to the council offered by TVDL activities

- (vi) To consider and make any recommendations to Council to implement a phased and controlled wind down of TVDL

Delegations

This Committee shall exercise the full powers, duties and functions of the Council in relation to points (i) to (vi) above, except in the case of the following:

1. The final decision to wind down TVDL;
2. The decision not to continue with the development/progression of a site that is already in progress;
3. Any decision which would result in the Council incurring a cumulative financial loss on any site which is already in progress, all of which will be a decision of full Council. E. That, subject to D above, it be noted that the Tawd Valley Development Cabinet Working Group will no longer be required to meet

That with immediate effect no further financial investment be made from WLBC into TVDL and if funding is required, this should be by way of a loan.

- G. That the proposed responses to the review recommendations set out in the revised Appendix 2 accompanying this motion be approved

- H. That any associated costs be met from reserves."

And replaced with the following:

- A. That the independent review on TVDL set out in Appendix 1 to the report be noted.

- B. That the proposed responses to the review recommendations set out in Appendix 2 to the report, be approved."

- C That a Member Shareholder Committee be created

Functions

1. To facilitate a cross party Committee to allow meaningful and productive discussions to take place in relation to the future direction of TVDL.
2. To evaluate the effectiveness of the TVDL board and the delivery of performance against strategic objectives and the business plan
3. To assess any risks to the council offered by TVDL activities

Delegations

1. Agreed comments to be referred to full Council and TVDL for consideration.

Membership – 2 Labour 2 Conservative 1 OWL

(Chairman) Councillor

(Vice-Chairman) Councillor

- D.** It be noted that the Tawd Valley Development Cabinet Working Group will no longer be required to meet
- E.** That any associated costs be met from reserves."

An amendment was moved and seconded which proposed that the below changes be made to the Committee:

(Chairman Councillor Jenny Wilkie
Vice-Chairman Councillor Adam Yates)

A member requested that a recorded vote be taken in respect of the amendments to the above altered Motion

FOR: Councillors Aldridge, Cooper, Coughlan, Cummins, Delaney, Dereli, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Lockie, Monaghan, Moran, Nixon, O'Neill, Owen, Pryce-Roberts, Upjohn, West, J Wilkie, K Wilkie and Yates (TWENTY SIX)

AGAINST: Councillors Mrs M Blake, Blundell, Clandon, Daniels, Davis, Eccles, Gordon, Hirrell, Howard, Johnson, Jukes, Mrs J Marshall, Mee, Mitchell, O'Toole, Owens, Pope, Mrs Stephenson, Ms. Sutton, Thompson, Turpin, D Westley, Mrs M Westley, Whittington, Mrs Witter (TWENTY FIVE)

ABSTENTIONS: NONE

The Amendment was **CARRIED** .

RESOLVED: That the following resolution of Council held on 23 February 2022, be rescinded:

- A.** That the independent review on TVDL set out in Appendix 1 be noted.
- B.** That with immediate effect TVDL to stop all developments outside of the borough.
- C.** That with immediate effect TVDL to stop all developments within the borough, other than those sites already in progress.
- D.** That a Member Shareholder Committee be established to make any recommendations to Council, to implement a phased and controlled wind down of TVDL, comprising of 2 Labour Members, 2 Conservative Members and 1 Our West Lancashire Member for delegated decision making and

scrutiny of TVDL, as follows:

Tawd Valley Developments Shareholder Committee
Membership (5 Members: 2 LAB 2 CON 1 OWL)

(Chairman) Councillor David Westley
(Vice-Chairman) Councillor Ian Davis

Functions

- (i) To approve any necessary changes to the Business Plan, if required
- (ii) To monitor and make any necessary decisions (other than to cease development/progression) in respect of the sites in progress.
- (iii) To communicate the shareholders' views to TVDL
- (iv) To evaluate the effectiveness of the TVDL board and the delivery of performance against strategic objectives and the business plan
- (v) To assess any risks to the council offered by TVDL activities
- (vi) To consider and make any recommendations to Council to implement a phased and controlled wind down of TVDL

Delegations

This Committee shall exercise the full powers, duties and functions of the Council in relation to points (i) to (vi) above, except in the case of the following:

- 1. The final decision to wind down TVDL;
 - 2. The decision not to continue with the development/progression of a site that is already in progress;
 - 3. Any decision which would result in the Council incurring a cumulative financial loss on any site which is already in progress, all of which will be a decision of full Council.
- E. That, subject to D above, it be noted that the Tawd Valley Development Cabinet Working Group will no longer be required to meet .
- F. That with immediate effect no further financial investment be made from WLBC into TVDL and if funding is required, this should be by way of a loan.

- G. That the proposed responses to the review recommendations set out in the revised Appendix 2 accompanying this motion be approved
- H. That any associated costs be met from reserves."

And replaced with the following:

- "A. That the independent review on TVDL set out in Appendix 1 to the report be noted.
- B. That the proposed responses to the review recommendations set out in Appendix 2 to the report, be approved."
- C. That a Member Shareholder Committee be created

Functions

1. To facilitate a cross party Committee to allow meaningful and productive discussions to take place in relation to the future direction of TVDL.
2. To evaluate the effectiveness of the TVDL board and the delivery of performance against strategic objectives and the business plan
3. To assess any risks to the council offered by TVDL activities

Delegations

1. Agreed comments to be referred to full Council and TVDL for consideration.

Membership – 2 Labour 2 Conservative 1 OWL

(Chairman) Councillor Jenny Wilkie
(Vice-Chairman) Councillor Adam Yates

- D. It be noted that the Tawd Valley Development Cabinet Working Group will no longer be required to meet.
- E. That any associated costs be met from reserves."

(Note: this item was considered after Agenda Item 7a).

FREEPORT IN LIVERPOOL - MOTION INCLUDED BY COUNCILLOR CYNTHIA DERELI

The following Motion was moved and seconded:

"This Council notes with concern, particularly in the present crisis, the potential outcomes of moves by Liverpool City Region to become a Freeport.

While recognising that the creation of more jobs in the City Region may be a first visible outcome, we are concerned about the possible impact this may have on the quality of jobs in the area if the pattern that has emerged in other Freeports is followed, by removing workers rights and access to TU protection.

But we are also concerned that this will impact on a wider area/ hinterland by:

*drawing jobs into the Freeport area

*removing environmental protection and potentially opening up the area to fracking with all the environmental issues it creates

*endangering moves towards meeting climate action goals on a wider scale, particularly through moves to base their profit-oriented plans to develop hydrogen as a so-called 'transition' fuel in the Freeport area,

We urge Liverpool Cllrs, the City Mayor and the TU movement in the NW to express their opposition to such a move, and to work with neighbours to create a sustainable economy that protects workers' rights and is based on moves to truly green energy".

A vote was taken on the Motion which was LOST.

(Note: Councillors Mrs Marilyn Westley, Maureen Nixon and James Upjohn left the Chamber during consideration of this item and were not present for the remainder of the meeting).

136

MENTAL HEALTH SUPPORT FOR COUNCILLORS - MOTION INCLUDED BY COUNCILLOR JAMES UPJOHN

Councillor J Upjohn had withdrawn this item from the Agenda.

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THE MAYOR