

COUNCIL**HELD: Wednesday, 14 December 2022**

Start: 7.30 pm

Finish: 8.15 pm

PRESENT:

Councillors:

Mrs M Westley (Mayor)
K Mitchell (Deputy Mayor)
T Aldridge
R Bailey
A Blundell
P Burnside
V Cummins
I Davis
I Eccles
J Fillis
A Fowler
Y Gagen
S Gregson
D Hirrell
J Howard
K Jukes
J Mee
J Monaghan
P O`Neill
S Patel
D Owen
A Owens
I Rigby
A Sutton
Upjohn
D Westley
J Wilkie
A Yates

M Anderson
Mrs M Blake
G Clandon
C Coughlan
D Daniels
G Dowling
A Fennell
J Finch
N Furey
J Gordon
L Gresty
P Hogan
G Johnson
Mrs J Marshall
R Molloy
M Nixon
D O'Toole
P Turpin
G Owen
E Pope
N Pryce-Roberts
J Thompson
D West
D Whittington
K Wilkie

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer
Heidi McDougall, Corporate Director of Place & Community
Chris Twomey, Corporate Director of Housing, Transformation & Resources
James Pierce, Head of Finance, Procurement and Commercial Services
Paul Charlson, Head of Planning & Regulatory Services
Simon Kirby, Head of Wellbeing and Place Services
Kathryn Sephton, Head of Environmental Services
Kay Lovelady, Legal & Democratic Services Manager
Jacky Denning, Democratic Services Manager
Peter Gregory, Estates & Valuations Manager
Thomas Lynan, Electoral Services Manager
Chantal Barton, Digital Communications Officer

In attendance:

Venerable David Garnett, from St Cuthbert's, Halsall

49 PRAYERS

The Mayor's Chaplain for the evening, Venerable David Garnett, from St Cuthbert's, Halsall, led Members and officers in prayer.

50 APOLOGIES

An apology for absence was received on behalf of Councillor Joan Witter.

51 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Mrs Blake, Blundell, Gordon, Howard, Mrs Marshall, Mee, Gaynar Owen, Patel, Pope, Sutton and Whittington declared a non-pecuniary interest in relation to item 9 '2022/23 GRA Capital Q2 Monitoring', item 13 'Public Space Protection Order Renewal 2023-2026' and item 17 'Beacon Golf Course and Park' in view of their membership of a Parish Council.
2. Councillors Aldridge, Bailey, O'Toole, Pope and D Westley declared a non pecuniary interest in relation to item 9 '2022/23 GRA Capital Q2 Monitoring', as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.
3. Councillors Gaynar Owen, Nixon, West and J Wilkie (Tenant of a Council flat/house) Coughlan and Gregson (Tenants of a Council garage) declared disclosable pecuniary interests in relation to item 10 'HRA – Revenue and Capital Mid Year (Q2) Review', item 12 'The Building Safety Act 2022' and item 18 'Update on Housing Repairs Service' for the reasons indicated but were entitled to speak and vote by virtue of an exemption (nothing in these reports relates particularly to their respective interests arising from the tenancy or lease).
4. Councillors Aldridge, Gregson, Mee, Nixon, Sutton and K Wilkie declared non-pecuniary interests in relation to item 10 'HRA – Revenue and Capital Mid Year (Q2) Review', item 12 'The Building Safety Act 2022' and Item 18 'Update on Housing Repairs Service' as they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a pecuniary interest (as it would affect the financial position of their relative and a member of the public with knowledge of the relevant facts would reasonably regard this as so significant that it is likely to prejudice their judgement of the public interest) they declared that interest but considered that they were entitled to speak and vote by virtue of an exemption as nothing in these reports relates particularly to the relevant tenancy or lease.

52 MINUTES

RESOLVED: That the minutes of the Council meeting held on 12 October 2022, be received as a correct record and signed by the Mayor.

53 ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF OPERATING OFFICER

The Mayor announced:

- A. That the Mayor's Charity Dinner/Ball would be held in Lancashire Manor on 17 March 2022.
- B. That former Chairman of the Council, Tony Toal, had sadly passed away and provided details of the funeral arrangements.
- C. That Heidi McDougall, Corporate Director of Place & Community, was leaving the authority to take up a position in Derbyshire Dales District Council as Strategic Director, Service Delivery in January 2023.

Heidi was thanked for her service to the Council and presented with the Council Shield and flowers.

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

There were no items under this heading.

55 MINUTES OF COMMITTEES

Consideration was given to the minutes of the undermentioned meetings of the Committees shown.

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

- A. Audit & Governance Committee – Wednesday 27 July & Tuesday 25 October 2022
- B. Licensing & Appeals Committee – Tuesday 4 October 2022
- C. Licensing & Gambling Committee – Tuesday 4 October 2022
- D. Polling Districts & Polling Places Review Committee – Thursday 6 October 2022
- E. Planning Committee – Thursday 13 October & 24 November 2022
- F. Tawd Valley Developments Shareholders Committee – Thursday 27 October 2022
- G. Budget/Council Plan Committee – Tuesday 1 November 2022

H. Leisure Procurement Committee – Wednesday 2 November 2022**56 2022/23 QUARTER 2 GRA REVENUE MONITORING**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 397 to 406 of the Book of Reports, which provided a summary of the General Revenue Account (GRA) position for the 2022/23 financial year at quarter 2 and sought approval of the budget amendments set out in the report.

RESOLVED: A. That the 2022/23 GRA position be noted.

B. That the budget amendments reported be approved.

57 2022/23 QUARTER 2 GRA CAPITAL MONITORING

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 407 to 422 and 625 to 630 of the Book of Reports, which provided the Revised General Revenue Account (GRA) Capital Programme for 2022/23 and an update on the progress of capital schemes at quarter 2.

Members were advised that an Addendum and a revised Appendix A had been circulated separately in the supplementary agenda.

RESOLVED: A. That the revised Capital Programme for 2022/23 of £12.113m, be noted.

B. That the re-profiling, virements and budget adjustments contained within the revised Appendix A, be approved.

C. That the 2022/23 budget additions of £1.766m to the 2022/23 budget and £60k 2023/24 budget, to existing schemes within the approved programme, contained in the revised Appendix A, be approved.

D. That the progress against the Revised Capital Programme at Quarter 2, be noted.

58 22/23 QUARTER 2 HRA REVENUE AND CAPITAL MONITORING

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 423 to 444 of the Book of Reports, which proposed the budget adjustments identified in section 7 and paragraph 10.1 of the report.

RESOLVED: A. That the 2022/23 HRA and Housing capital programme positions be noted.

- B. That the proposed budget adjustments identified in section 7 and paragraph 10.1 of the report be approved.
- C. That the significant budget pressures be noted.

59 22/23 TM MID-YEAR PRUDENTIAL INDICATORS

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 445 to 460 of the Book of Reports, which detailed the Treasury Management operations for the first half of 2022/23 and reported on the Prudential Indicators, where available.

- RESOLVED:
- A. That the Treasury Management activity and Prudential Indicator performance for the first quarter of 2022/23, be noted.
 - B. That the changes to the Prudential Indicators, highlighted in section 10 of the report, be approved.

60 BUILDING SAFETY ACT 2022

Consideration was given to the report of the Corporate Director of Place & Community, as contained on pages 461 to 470 of the Book of Reports, which advised on the introduction and implications of the Building Safety Act 2022, and to sought approval for appropriate delegations.

- RESOLVED:
- A. That the Corporate Director of Place and Community be given delegated authority to administrate and enforce the relevant provisions of the Building Safety Act 2022.
 - B. That the Corporate Director of Place and Community be given delegated authority to appoint officers where appropriate under the Building Safety Act 2022.

61 PUBLIC SPACE PROTECTION ORDER RENEWAL 2023- 2026

Consideration was given to the report of the Corporate Director of Place & Community, as contained on pages 471 to 502 of the Book of Reports, which sought approval to undertake a consultation exercise in relation to renewing and amending the Council's existing Public Space Protection Order 2023 – 2026 which details numerous Dog Control provisions for locations across the Borough.

Members were advised that where it reads "Queen Elizabeth II Diamond Jubilee Park", in the report and Appendix, it should read "Queen Elizabeth II Platinum Jubilee Park".

- RESOLVED:
- A. That the proposed amendments to the Public Space Protection Order be approved for public consultation.
 - B. That the results of the consultation be reported back to Council

in February 2023 and consideration be given to the approval of a final Order.

62 TIMETABLE OF MEETINGS 2023/24

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 503 to 506 of the Book of Reports, which sought approval of the timetable of meetings for the Municipal Year 2023/24.

RESOLVED: That the timetable of meetings for the 2023/24 Municipal Year, attached as an appendix to the report, be approved.

63 EXECUTIVE DECISIONS - SPECIAL URGENCY

Consideration was given to the report of the Corporate Director Transformation, Housing & Resources, as contained on pages 507 to 508 of the Book of Reports, which advised that for the period 1 December 2021 to 30 November 2022, there were no decisions taken under Access to Information Procedure Rule 16 (Special Urgency).

RESOLVED: That it be noted that Access to Information Rule 16 (Special Urgency) was not exercised during the period 1 December 2021 to 30 November 2022.

64 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.

65 BEACON GOLF COURSE AND PARK

Consideration was given to the report of the Corporate Director of Place & Community, as contained on pages 509 to 606 of the Book of Reports, which considered a report from external consultants in relation to the future of Beacon Golf Course and set out options and cost implications in respect of the future operation of the golf course and associated buildings.

Members were advised that a revised Appendix 5 had been circulated with the agenda pack, following the meeting of Cabinet.

RESOLVED: A. That the Consultant's Report, set out in Appendix 1, and the Options set out in Section (7) of the Report, be noted.

- B. That Option F set out in paragraph 7.1.6.– Close the Golf Course and retain the catering and toilet facilities be approved. The Golf Club to be closed no later than 1st April 2023.
- C. That the Corporate Director of Place and Community be given delegated authority to undertake an options appraisal in accordance with Section 7.2 of the report to consider the future of the other facilities on site. Future work associated with this work beyond April 2023 to be funded from the UK Shared Prosperity Fund.
- D. That it be noted that the findings of the Options Appraisal shall be reported to a future meeting of the Leisure Procurement Committee, Cabinet and full Council.
- E. That SERCO catering staff be transferred to short term employment status within the Council, to be continued until such time as the future of the café is determined.

66 UPDATE ON HOUSING REPAIRS SERVICE

Consideration was given to the report of the Corporate Director of Transformation, Housing & Commercial Services, as contained on pages 607 to 618 of the Book of Reports, which provided an update on the repairs contract and seek Council approval of proposed amendments.

- RESOLVED:
- A. That the information in the report be noted.
 - B. That the variations to the terms of the contract, set out in paragraph 4.2 of the report, be approved.
 - C. That the variations to the contract outlined above and the implications to the contractor, set out in paragraph 4.3 of the report, be noted.
 - D. That the expected budget pressure in 2022/23 as a result of the recommendations above be noted and that this shall be contained within the overall 2022/23 HRA.
 - E. That delegated authority be given to the Corporate Director of Transformation, Housing and Resources, in consultation with the portfolio holder for Housing, to take all necessary actions to deliver these changes and to make a decision on all annual business cases submitted by the contractor.

67 PROPOSED SALE OF LAND

Consideration was given to the report of the Corporate Director of Transformation,

Housing & Resources, as contained on pages 619 to 624 of the Book of Reports, which sought approval to dispose of land shown edged on the plan attached to the report.

- RESOLVED:
- A. That authority is granted to the Director of Transformation, Housing and Resources to take all necessary steps to prepare the site for sale as shown on the plan at Appendix A to the report.

 - B. That the sale of the land to Mechan Controls 14-16 Seddon Place, Skelmersdale be approved for the agreed value, subject to 32% clawback payable to Homes England.

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THE MAYOR