



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Tuesday, 6 December 2022

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, 14 DECEMBER 2022** 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.

Jacqui Sinnott-Lacey
Chief Operating Officer

AGENDA
(Open to the Public)

PAGE(S)

1. **PRAYERS**

2. **APOLOGIES**

3. **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.)

345 - 346

4.	MINUTES To receive as a correct record, the minutes of the previous meeting held on Wednesday 12 October 2022.	347 - 358
5.	ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF OPERATING OFFICER	
6.	TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2	
7.	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)	Audit & Governance Committee - Wednesday, 27 July 2022	359 - 364
b)	Licensing & Appeals Committee - Tuesday, 4 October 2022	365 - 368
c)	Licensing & Gambling Committee - Tuesday, 4 October 2022	369 - 370
d)	Polling Districts and Polling Places Review Committee - Thursday, 6 October 2022	371 - 372
e)	Planning Committee - Thursday, 13 October 2022	373 - 376
f)	Audit & Governance Committee - Tuesday, 25 October 2022	377 - 380
g)	Tawd Valley Developments Shareholders Committee - Thursday, 27 October 2022	381 - 384
h)	Budget / Council Plan Committee - Minutes of the meeting held on Tuesday, 1 November 2022	385 - 388
i)	Leisure Procurement Committee - Wednesday, 2 November 2022	389 - 392
j)	Planning Committee - Thursday, 24 November 2022	393 - 396
8.	2022/23 QUARTER 2 GRA REVENUE MONITORING To consider the report of the Head of Finance, Procurement & Commercial Services. (Relevant Portfolio Holder: Councillor A Yates)	397 - 406
9.	2022/23 QUARTER 2 GRA CAPITAL MONITORING To consider the report of the Head of Finance, Procurement & Commercial Services. (Relevant Portfolio Holder: Councillor A Yates)	407 - 422
10.	22/23 QUARTER 2 HRA REVENUE AND CAPITAL MONITORING To consider the report of the Head of Finance, Procurement & Commercial Services. (Relevant Portfolio Holder: Councillor N Pryce Roberts)	423 - 444

11. **22/23 TM MID-YEAR PRUDENTIAL INDICATORS**
To consider the report of the Head of Finance, Procurement & Commercial Services. 445 - 460
(Relevant Portfolio Holder: Councillor A Yates)
12. **BUILDING SAFETY ACT 2022**
To consider the report of the Corporate Director of Place & Community. 461 - 470
(Relevant Portfolio Holders: Councillors A Fennell & N Pryce-Roberts)
13. **PUBLIC SPACE PROTECTION ORDER RENEWAL 2023- 2026**
To consider the report of the Corporate Director of Place & Community. 471 - 502
(Relevant Portfolio Holder: Councillor J Wilkie)
14. **TIMETABLE OF MEETINGS 2023/24**
To consider the report of the Corporate Director of Transformation, Housing & Resources. 503 - 506
(Relevant Portfolio Holder: Councillor Y Gagen)
15. **EXECUTIVE DECISIONS - SPECIAL URGENCY**
To consider the report of the Corporate Director of Transformation, Housing & Resources. 507 - 508
(Relevant Portfolio Holder: Councillor Y Gagen)
16. **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 Paragraph 3 (Financial/Business Affairs) 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

17. **BEACON GOLF COURSE AND PARK**
To consider the report of the Corporate Director of Place & Community. 509 - 606
(Relevant Portfolio Holder: Councillor C Coughlan)
18. **UPDATE ON HOUSING REPAIRS SERVICE**
To consider the report of the Corporate Director of Transformation, Housing & Resources. 607 - 618
(Relevant Portfolio Holder: Councillor N Pryce-Roberts)
19. **PROPOSED SALE OF LAND**
To consider the report of the Corporate Director of Transformation, Housing & Resources 619 - 624
(Relevant Portfolio Holder: Councillor A Yates)

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

**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 inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform 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**.

Agenda Item 3

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 4

COUNCIL

HELD: Wednesday, 12 October 2022

Start: 7.42 pm

Finish: 9.40 pm

PRESENT:

Councillors:

Mrs M Westley (Mayor)	
K Mitchell (Deputy Mayor)	
T Aldridge	M Anderson
R Bailey	Mrs M Blake
A Blundell	P Burnside
G Clandon	C Coughlan
V Cummins	D Daniels
I Davis	G Dowling
I Eccles	A Fennell
J Fillis	J Finch
A Fowler	N Furey
Y Gagen	J Gordon
S Gregson	L Gresty
D Hirrell	P Hogan
J Howard	G Johnson
K Juckes	Mrs J Marshall
J Mee	R Molloy
M Nixon	P O`Neill
D O`Toole	D Owen
G Owen	A Owens
S Patel	E Pope
I Rigby	N Pryce-Roberts
A Sutton	P Turpin
J Thompson	Upjohn
D West	D Westley
D Whittington	J Wilkie
J Witter	

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer
Chris Twomey, Corporate Director of Housing, Transformation & Resources
Lisa Windle, Head of Corporate and Customer Services
Kathryn Sephton, Head of Environmental Services
Paul Charlson, Head of Planning & Regulatory Services
Alan Leicester, Head of Housing
Kay Lovelady, Legal & Democratic Services Manager
Jacky Denning, Democratic Services Manager
Thomas Lynan, Electoral Services Manager

35 PRAYERS

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

A minute silence was held to pay respect to Her Majesty The Queen.

36 APOLOGIES

Apologies for absence were received on behalf of Councillors J Monaghan, K Wilkie and A Yates.

37 DECLARATIONS OF INTEREST

The following declarations were received:

Councillors Aldridge, Bailey, O'Toole, Pope and D Westley declared a non pecuniary interest in relation to item 12 (a) Youth Council & Youth Mayor - Motion', as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.

38 MINUTES

RESOLVED: That the Minutes of the previous meeting held on Wednesday 20 July 2022, be agreed as a correct record and signed by the Mayor.

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

The Mayor announced:

- A. That a member of the public would be filming part of the meeting, using a mobile phone.
- B. The following fund raising events:
 - Saturday 15 October – Fashion Show at Ormskirk Civic Hall 7pm – Tickets £5.00
 - Friday 25 November – An Evening of Song and Dance, Haskayne Village Hall 7pm – Tickets £15.00
 - 17 March 2023 The Mayors Charity dinner/ball is booked for Lancashire Manor Hotel – Tickets £39.50

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

The following Questions were received, and Members were advised that the following responses had been circulated prior to the meeting:

1. Questions from Councillor James Upjohn – Report 'Change of Governance Arrangements'

- (i) *Leader, should there be a public consultation on such a monumental and costly change to council workings?*

Response

As stated in the report there is no legal requirement to carry out any consultation. Some Councils have carried out consultations and/or referendums prior to changing but many have not. It is a decision for Council to make on whether there should be a consultation prior to any change or not.

- (ii) *We recently switched to pre-scrutiny, after a vote at full council, has this been implemented yet and if yes how effective is it?*

Response

Yes, pre scrutiny has been implemented, a copy of the Overview & Scrutiny Annual Report for 2021/22 is included on the agenda for this meeting, for Members to consider.

- (iii) *Is it a good idea to switch to a committee structure? Has any research been done on Hybrid Models?*

Response

It is a matter for each Council to determine which governance model is the best for it. As set out in the report there are considered to be benefits and disadvantages to each governance system and there is no universally accepted better model. I am not aware of any research on hybrid models.

- (iv) *The report at 7.6 refers to consultation proposed with key stake holders and the implementation of the new arrangements. For the consultation to be lawful and effective it must be carried out when the proposals are still at an informative stage. Can you confirm this has been done and if so where is the data.*

Response

No, the consultation would be on the implementation not the decision whether to change the governance model if Council agreed with the recommendation of the Working Group.

2. Questions from Councillor Rob Molloy – Report 'Change of Governance Arrangements'

I have several questions on the report into Change of Governance Arrangements that is in the Council papers for the meeting on October 12th.

- (i) *The report states in Section 10 that there are "major implications" in terms of resources in any change to governance arrangements. In section 10.2 the report says that they are likely to be £50k to £100k in one off costs but there is no breakdown of how this is made up.*

Has a financial impact assessment been taken to validate this £50k to £100k range?

Response

The figure in the report is an estimate based on known likely costs such as legal support on the change of the constitution and on looking at the

experience of other authorities which have gone through this process. The actual figure will depend to a large extent on how the Council implements any resolution to change governance.

Is there a detailed breakdown that members can see to assure themselves and our residents that all one-off costs both internally and externally have been accurately considered in arriving at this figure?

Response

No, as indicated in the report the Council is still seeking to identify whether any of the costs will be met from support by the LGA and the actual costs will depend on future decisions.

- (ii) *Paragraph 10.4 calls for a comprehensive training programme for members and officers.*

Has this programme been designed and what are the costs arising from it for both external training costs and officer time?

Response

No, the programme cannot be designed until the Council has made further decisions of the governance model and constitution.

What will the time commitment for "comprehensive training" be for officers and members?

Response

As above.

- (iii) *Paragraph 10.6 states that the Council is looking into whether additional financial support is available.*

Has this been progressed and if so how much funding has been made available? If not how much is being requested and when will the council know if support is available?

Response

To date the LGA have funded some advice via Ed Hammond of the Centre for Governance and Scrutiny (CFGS). Members were also keen to know if grant funding which had been made available to Wirral could be applicable to West Lancashire.

While grant funding would not be available (this was allocated to Wirral for a different purpose) should a decision be taken to adopt a Committee system of governance, support can be provided by the LGA and Centre for Governance Scrutiny to progress change and make the necessary arrangements to enable the new structure to commence in May 2024.

The LGA will provide support to the Council to understand and implement the change and look at how the new governance model will operate in practice, to ensure that, the council and the residents of West Lancs gain maximum benefit. The LGA were keen to stress that the support will ensure that the

new governance model maintains a focus on accountability, credibility, transparency and timeliness of decision making.

The LGA will continue to part fund the support and a proposal will be worked up with CFGS to agree the scope.

3. Question from Councillor Kate Mitchell – JMO Sports Park

Having been contacted by concerned residents whose children or grandchildren have had their junior football cancelled at the Council's Blaguegate pitches on Sunday 9th October as a result of dangerous and inconsiderate parking arising from a dispute between the council and JMO Sports Park about the previous parking provision at JMO Sports Park, to respectfully ask the Council Leader what action she proposes to take to ensure that the situation is resolved; the dangerous parking eliminated; and the interests of local junior footballers is not relegated below those of footballers at JMO, some of whom are from outside the area?

Response

Previous seasons have seen only four pitches in use resulting in community frustration that the Council are letting young people down by not maximising the site. To overcome this Council officers have been working closely with the local leagues, football clubs and JMO to facilitate an increase in the number of football matches taking place at Blaguegate.

To accommodate this increased volume of matches, an agreement was reached with Skelmersdale Junior Football League (SJFL) that users of the grass facilities would take responsibility for ensuring that all vehicles, including visiting team vehicles and spectators, park on Sandy Lane Car Park. This is to reduce the scope of any direct impact or inconvenience on residents and the neighbouring business.

Many managers, parents, guardians and spectators are following this reasonable request, as they understand that it is what is required to facilitate eighteen kick offs every Sunday with no car parking facilities.

In addition to Team managers agreeing to this solution, SJFL agreed to be on site to aid with communicating the revised car parking arrangements with participants and spectators attending Blaguegate grass pitches.

Unfortunately, some participants and spectators have continued to park incorrectly, including on double yellow lined roads and grass verges which is not safe and presents a real danger. The previous Sunday saw similar issues with people ignoring reasonable requests from stewards.

Officers could not ignore the real possibility of a child being injured by crossing the road from parking on a grass verge because of obscured visibility. The reality is SJFL warned that fixtures would be cancelled if irresponsible parking continued and it did, so fixtures on Sunday 9th were cancelled by WLBC.

This is regrettable, but arrangements have been made to ensure participant safety and that the neighbouring business and residents are not

inconvenienced. SJFL, team managers, parents, guardians and spectators must honour the agreement or present a safe and sustainable solution that protects all partners.

Following detailed discussions on Monday 10th Oct between the council, SJFL and JMO, mutual agreement has been reached enabling all scheduled Blaguegate Grass Playing Fields fixtures to resume on Sunday 16th October.

It has now been agreed that on each Sunday morning SJFL will install cones and undertake routine inspections to ensure that any person not complying is reported to the council.

Lancashire County Council Traffic Regulation Order team have confirmed that any vehicle parking in contravention of the lines can be subject to enforcement, the implementation of this order is currently in the process of being sealed. When official, this will then see residents able to request enforcement by contacting the county councils Parking Services team.

All partners are united in this approach and hope that people will take personal responsibility for parking on Sandy Lane Car Park. If these reasonable requests are ignored there is a potential for suspensions to continue.

4. Questions from Councillor Julian Finch – Report 'Change in Governance Arrangements'

These questions are not about legal compliance, but whether or not we have complied with “accepted good practice” as defined by the LGA’s Centre for Public Scrutiny (CfPS) Guidelines and in good practice in any other type of organisation.

It was made clear to the cross-party working group, in the first meetings, that there is a clear process for Council’s to review their governance arrangements and its effectiveness. Based on their extensive research and the experience of Councils who have changed governance arrangements, their guidance is promoting “good practice” rather than legal advice. They also make it abundantly clear that “introducing a structural solution will not resolve issues which may have underlying political causes.”

The first stage of the LGA’s recommended process is planning your approach, scoping your review, and assessing the current position.

- (i) Can the Council provide evidence clearly demonstrating these first stages of governance review were carried out properly (diligently)?*
- (ii) Are you satisfied that a proper assessment of the current position has been carried out?*
- (iii) What evidence have we established that the current governance arrangements as per current constitution, are inadequate?*

Response

The cross party Working Group met on 13 occasions to consider these matters and has consequently put forward recommendations to Council based on those considerations. It is for the Council to consider those recommendations and make a decision on the information provided.

The second stage on the LGA's recommended review process is to consider and agree the principles on which the new governance arrangements could be designed. Quote: "From the initial assessment (Stage 1) you have identified some strengths, practices and ways of working that you want to keep, and weaknesses, ways of working that you want to stop or change substantially." These principles should be tangible, so that in future you can judge whether or not.

- (iv) *Is the Leader / Council confident that we have identified clear and tangible/measurable objectives? If so, what are they?*

Response

The cross party Working Group met on 13 occasions to consider these matters and has consequently put forward recommendations to Council based on those considerations. It is for the Council to consider those recommendations and make a decision on the information provided. It is imperative when budgets are going to be tight that you are clear on the financial implications, but you can't put a cost to operating a new structure before you have agreed what that structure is going to be.

- (v) *Is the leader on behalf of the Council, convinced that WLBC has a clear rationale for the proposed formal change in governance arrangements? (If not, could this be challenged legally?)*
- (vi) *What will be done to mitigate the various risks involved in this proposed change, including those which have been identified in the review process?*
- (vii) *What evidence do we have that this proposed change will strengthen our governance in a way that cannot be achieved by other means, e.g evidence that:*
- *under a committee system decision making will be more consensual*
 - *partnership decision making will be more effective*
 - *engagement with Councillors in policy making will be more inclusive than it is now?*
- (viii) *Is the Leader of the Council satisfied that sufficient consideration has been given to the option of a "Hybrid system of governance which would require cultural change in the organisation rather than major constitutional /structural change, and possibly some more minor changes to the constitution? If so what evidence do we have to substantiate that?*

Response

The cross party Working Group considered these matters and has

consequently put forward recommendations to Council based on those considerations. It is for the Council to consider those recommendations and make a decision on the information provided.

41 **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. Licensing & Appeals Committee – Tuesday 26 July 2022
- B. Planning Committee – Thursday 28 July and 8 September 2022
- C. Standards Committee – 20 September 2022
- D. Budget/Council Plan Committee – 28 September 2022

42 **OVERVIEW & SCRUTINY ANNUAL REPORT 2021/22 AND REQUEST FOR ADDITIONAL RESOURCES**

Consideration was given to the report of the Corporate Director of Transformation, Housing and Resources, as contained on pages 263 – 266 and 305 – 332 of the Book of Reports, which set out the Overview and Scrutiny Annual Report 2021/22 and how Overview and Scrutiny is working at West Lancashire and sought additional resources in order to undertake the additional work arising from the creation of the four Task & Finish Groups that have been established and the additional pressures in Democratic Services.

- RESOLVED:
- A. That the Overview and Scrutiny Annual Report 2021/22, appended to the report, be noted and the Overview and Scrutiny Committees be commended on their work.
 - B. That a permanent allocation of 20 hours per week at Grade SO1 be assigned to facilitate the additional work arising from the creation of four Task & Finish Groups, either as a standalone Democratic Services Officer role or a more substantive role combined with other duties.
 - C. That an additional post 'Principal Democratic Services Officer' at Grade PO2 be created, as set out in paragraph 6.3 of the report to address the current resource issues.

43 **CHANGE OF GOVERNANCE ARRANGEMENTS**

Consideration was given to the report of Simon Goacher, Independent Legal Adviser (Weightman's LLP) on behalf of the Chief Operating Officer, as contained on pages 267 – 286 of the Book of Reports, which set out the recommendations of the Political

Governance Arrangements Working Group, recommending to move to a Committee System following a review undertaken and which set out the legal framework and implications for change.

The Mayor advised that Simon Goacher was in attendance to take any questions.

The Chairman of the Working Group thanked Members, Officers, Simon Goacher from Weightmans and Ed Hammond from the Centre of Governance & Scrutiny for the work undertaken during the review.

A Motion, circulated prior to the meeting, was moved and seconded.

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

A vote was taken on the Amendment, and at the request of a Member was recorded as follows:

FOR: Councillors Bailey, Mrs Blake, Blundell, Clandon, Daniels, Davis, Eccles, Gordon, Gresty, Hirrell, Howard, Johnson, Jukes, Mrs Marshall, Mee, Mitchell, O'Toole, Owens, Pope, Rigby, Sutton, Thompson, Turpin, D Westley, Mrs Westley, Whittington and Witter. (TWENTY-SEVEN)

AGAINST: Councillors Aldridge, Anderson, Burnside, Coughlan, Cummins, Dowling, Fennell, Fillis, Finch, Fowler, Furey, Gagen, Gregson, Hogan, Molloy, Nixon, O'Neill, D Owen, G Owen, Patel, Pryce-Roberts, Upjohn, West and J Wilkie. (TWENTY-FOUR)

ABSTENTIONS: (NONE)

The Amendment was CARRIED.

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

RESOLVED: A. That the following recommendations of the Working Group be noted:

(a) "That the council adopts the committee system form of governance with effect from the annual council meeting of the Council in 2024.

(b) That in respect of consultation arrangements:

(i) a referendum should not be held.

(ii) That a public consultation should not be held prior to a decision being made.

(iii) That consultation be undertaken with relevant stakeholders if a decision is taken to move to a Committee System

(c) That the following Committee structure be adopted:

Service/Policy Committees:

- Policy & Resources
- Housing & Health
- Environment

Statutory Committees:

- Audit and Governance Committee
- Licensing and Appeals Committee
- Licensing and Gambling Committee
- Planning Committee
- Standards Committee

Although other suggestions that come forward can be considered by the Working Group and Council."

- B. That taking into account the recommendations of the Working Group above, the implications of change set out in paragraph 8 of the report, including the financial/resource implications, set out in paragraph 10, the Council move to a committee system with effect from the Annual Council meeting in 2024.
- C. That the Council adopts the Committee structure set out at A. (c) above.
- D. That the Terms of Reference of the Political Governance Arrangements Working Group be expanded, in order to bring further reports back to Council, in respect of the following:
- (i) The Consultation arrangements
 - (ii) The Membership size and Terms of Reference of Committees and to consider if any other bodies, such as Sub-Committee, Working Groups or Task & Finish Groups will be required.
 - (iii) Changes to the Constitution, including, but not limited to, the Scheme of Delegation to Chief Officers.
 - (iv) a review of the staffing required in Democratic Services to support the change.
- E. That it be noted that the Independent Remuneration Panel will be called upon to undertake a review of the Members Allowance Scheme for 2024/25, following the all-out elections being held in May 2023.
- F. That it be noted that the Member Development Commission will be consulted on proposals in relation to the required training for

Members.

44 **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.

45 **BECCONSALL LANE - HESKETH BANK - CONDITIONAL LAND PURCHASE**

Consideration was given to the report of the Chief Operating Officer, as contained on pages 287 to 294 of the Book of Reports, which set out details of a proposed land purchase to facilitate a new housing scheme.

RESOLVED: That a site at Beconsall Lane, Hesketh Bank be purchased and that relevant agreements are put in place with Heylo Housing and Tawd Valley Developments Limited (TVDL) to deliver the scheme, subject to the conditions at paragraph 4.9 of the report, being met.

46 **MOTIONS**

The following 2 Motions were considered at the request of the Members indicated:

47 **YOUTH COUNCIL & YOUTH MAYOR - MOTION FROM COUNCILLOR JAMES UPJOHN**

The following Motion was moved and seconded:

"That a report be submitted to either February or April 2023 full Council meeting, to consider how West Lancashire can work with Lancashire County Council to strengthen relationships with the Lancashire Youth Council on local issues. The report to also include what it would entail to have a Youth Mayor in West Lancashire, what levels of support would be available for a Youth Mayor and how they could be involved with helping the Mayor in their role."

The mover and the seconder amended the Motion to remove the words "either February", with the agreement of the meeting

RESOLVED: That a report be submitted to April 2023 full Council meeting, to consider how West Lancashire can work with Lancashire County Council to strengthen relationships with the Lancashire Youth Council on local issues. The report to also include what it would entail to have a Youth Mayor in West Lancashire, what levels of support would be

available for a Youth Mayor and how they could be involved with helping the Mayor in their role.

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

The following Motion was moved and seconded:

"That it be noted that council staff have access to counselling services if needed and that some WLBC staff are trained as Mental Health First Aiders, to offer support.

That this Council recognises that Councillors may also need mental health support and that mental health first aid provisions should also be given to Councillors when needed."

The Portfolio Holder gave a commitment to resend the details previously provided in an email, which set out what provision was available to Councillors in West Lancashire.

Following a debate, the Motion was WITHDRAWN by the mover and seconder, and with the agreement of the meeting.

.....
THE MAYOR

AUDIT & GOVERNANCE COMMITTEE

HELD: Wednesday, 27 July 2022

Start: 7.00 pm

Finish: 8.05 pm

PRESENT:

Councillor: E Pope (Chairman)

Councillors: P O`Neill
J Gordon
R Molloy
S Patel
K Juckes

N Furey
J Mee
D Owen
A Fennell

In attendance: Georgia Jones, Key Audit Partner - Grant Thornton

Officers: Jacqueline Pendleton, Internal Audit Manager
James Pierce, Head of Finance, Procurement and Commercial Services
Julia Brown, Democratic Services Officer
Kay Lovelady, Legal & Democratic Services Manager
Catherine Kirwan
Jennifer Lunn, Assistant Solicitor

16 APOLOGIES

Apologies were received on behalf of Councillor I Davis.

17 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillors J Finch and D Daniels and the appointment of Councillors A Fennell and K Juckes for this meeting only, thereby giving effect to the wishes of the Political Groups.

18 URGENT BUSINESS

There were no urgent items of business.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 MINUTES OF PREVIOUS MEETING

RESOLVED: That the Minutes of the meeting held on 31 May 2022 be received as a correct record and signed by the Chairman.

(Note: The Chairman commented in respect of Minute 15 - Derby Street Refurbishment Audit Report will return to a future meeting of the Committee with an update to be provided by the External Auditor, Grant Thornton).

21 PUBLIC SPEAKING

There were no items under this heading.

22 EXTERNAL AUDIT PROGRESS REPORT AND SECTOR UPDATE 2020-21

Consideration was given to the Grant Thornton Update Report as contained on pages 185 to 199 of the Book of Reports.

The Chairman invited Georgia Jones, Key Audit Partner - Grant Thornton, to present the report to the Committee.

Comments and questions were raised as follows:

- Difficulties during Pandemic and catch-up work/capacity issues in Team
- A staff re-structure of the Finance Team at WLBC has been undertaken and this will now provide stability moving forward
- A notice of delay for the 2020/21 audit has been published on the Council's website in line with regulation
- Clarification/breakdown of the increase in fees - Grant Thornton/ Justify to PSAA for agreement
- Project Plan for Audit 2020/21 – Autumn 2022
- Grant Thornton revising samples following some changes made to the 2020/21 Accounts
- Civica Improvement modules / wider transactional
- Impact on Annual Governance Statement due to non-receipt of 2020/21 Accounts
- Audit deliverables - The Head of Finance commented that revised 20/21 Accounts, in full Group format, would be distributed to members of the Audit and Governance Committee by 31 August 2022

RESOLVED: That the Grant Thornton Progress Update Report be noted.

23 INTERNAL AUDIT ANNUAL REPORT AND OPINION 2021-22

Consideration was given to the Internal Audit Activities – Progress Report as contained on pages 201 to 218 of the Book of Reports, which was to present the 2021-22 Internal Audit Annual Report and Opinion for consideration.

The Corporate Compliance and Governance Manager outlined the report and responded to comments and questions raised by Members.

- The Chair suggested that the level be reduced from Moderate to Limited due to the number of Limited and No Assurance Audit Reports. This was rejected as it is the Corporate Compliance and Governance Managers independent opinion based on a number of factors, not just the results from Internal Audit Reports.
- Peer Review
- Risk Management / Pentana Training
- Independence of the Corporate Compliance and Governance Manager

- Style of working and efficiencies - MS Teams / face to face

RESOLVED: That the Internal Audit Annual Report and Opinion for 2021-22 be noted.

24 **INTERNAL AUDIT ACTIVITIES - PROGRESS REPORT**

Consideration was given to the Internal Audit Activities – Progress Report as contained on pages 219 to 229, which advised of progress against the 2022/23 Internal Audit Plan.

The Corporate Compliance and Governance Manager outlined the report and responded to comments and questions raised by Members:

- 14% of planned work completed
- One Internal Auditor has provided significant support to enable the completion of the NHS Data Security and Protection Toolkit
- Assurance Reports - D100 – Corporate / Housing Stock
- Performance Indicators – On target to complete Audit Plan by end of Financial Year
- Assurance Audit of Voids – Substantial piece of fieldwork/ lifecycle

RESOLVED: That Members note progress in the year to date.

25 **ANNUAL REPORT OF THE SENIOR INFORMATION RISK OWNER (SIRO) - 2021/22**

Consideration was given to the report of the Corporate Director of Transformation, Housing and Resources as contained on pages 231 to 247 of the Book of Reports, which provided an overview of West Lancashire Borough Councils obligation in meeting statutory regulatory requirements relating to the processing of personal, confidential, or identifiable data under the UK General Data Protection Regulation, the Data Protection Act 2018 and the Councils duty to be transparent through compliance within the Freedom of Information Act 2000.

The Corporate Compliance and Governance Manager outlined the report and responded to comments and questions in respect of:

- No changes to legislation 2020/21 GDPR Training
- Annual Training refresher for all staff

RESOLVED: That the Annual Report of the Senior Information Risk Owner (SIRO), as set out in Appendix 1 of the report, be noted.

26 **REGULATION OF INVESTIGATORY POWERS ACT - USE OF POWERS**

Consideration was given to the report of the Legal and Democratic Services Manager as contained on pages 249 to 250 of the Book of Reports, the purpose of which was to report on the Council's use of its powers under the Regulation of

Investigatory Powers Act 2000 (RIPA).

The Legal and Democratic Services Manager outlined the report and responded to a question in relation to the pilot use of CCTV surveillance. She informed Members of the difference between 'overt' surveillance, where signage is used and "covert surveillance where the Regulation of Investigatory Powers Act 2000 (RIPA) apply.

RESOLVED: That it be noted that the Council has not had cause to use its powers under the Regulation of Investigatory Powers Act 2020 (RIPA) during the last 12 months.

27 **ANNUAL GOVERNANCE STATEMENT 2020/21**

Consideration was given to the annual Governance Statement 2020/21 as contained on pages 251 to 267 of the Book of Reports.

The Corporate Compliance and Governance Manager outlined details of the report.

Resolved: That the Annual Governance Statement 2020/21, as set out in Appendix 1 to the report, be deferred for approval pending the following actions:

1. That a follow up report be presented to a future meeting of the Committee from External Auditor Grant Thornton, in respect of feedback on the Derby Street Refurbishment Internal Audit Report which gave a 'no assurance' opinion to the Audit and Governance Committee
2. That the Council's Financial Statements are available on the Council's website with note to say the 2021 Accounts are yet to be completed and audited.
3. That the Council produces Financial Statements in accordance with CIPFA's Practice on Local Authority Accounting in the UK following International Financial Reporting Standards (IFRS). The Financial Statements are scrutinised by the External Auditor with a separate report produced. (This is to be looked in to by Officers as the 2020/21 Accounts are not yet complete and have not been audited).

28 **WORK PROGRAMME**

Consideration was given to the Committee's 2022/23 Work Programme as set out on page 269 of the Book of Reports.

The Chairman informed that Georgia Jones, Key Audit Partner, Grant Thornton would provide a Briefing to Members on 'Value for Money' in October. He also asked for any suggestions to be put forward for the May 2023 meeting.

RESOLVED: A. That the Committee Work Programme 2022/23 be agreed.
B. That Georgia Jones, Key Audit Partner, Grant Thornton, provide a Briefing to Members on 'Value for Money' on 25 October 2022.

.....
Chairman

LICENSING & APPEALS COMMITTEE

HELD: Tuesday, 4 October 2022

Start: 7.00 pm

Finish: 7.42 pm

PRESENT:

Councillor: G Johnson (Chairman)
J Mee (Vice Chairman)

Councillors: S Patel
I Eccles
J Gordon
M Nixon

T Aldridge
N Furey
J Monaghan
P O`Neill

In Attendance: Paul Charlson, Head of Planning & Regulatory Services
Michaela Murray, Senior Licensing Officer
Kay Lovelady, Legal & Democratic Services Manager
Kirsty Breakell, Democratic Services Officer
Andrew Smith, Legal Assistant
Lyndsey Key, Environmental Health Manager

1 **APOLOGIES**

Apologies were received from Councillor L Gresty.

2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the Membership of the Committee.

3 **URGENT BUSINESS**

There were no urgent items of business.

4 **DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

5 **DECLARATION OF INTEREST**

There were no declarations of interest.

6 **MINUTES OF SUB - COMMITTEES OR WORKING GROUPS**

There were no minutes to receive.

7 **MINUTES**

RESOLVED: That the minutes of the meeting held on the 26 July 2022 be agreed as a correct record and signed by the Chairman.

8 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 2 (Identity of an individual) and Paragraph 7 (Criminal Matters) part 1 of Schedule 12A outweighs the public interest in disclosing the information.

9 **PRIVATE HIRE DRIVER LICENCE - LN/000009860**

Members were asked to consider an application for a Private Hire Diver Licence, reference number LN/000009860, having regard to offences recorded against the Driver.

RESOLVED: That the Application for a Private Hire Driver Licence, reference number LN/000009860 be REVOKED.

(Note: The Officers from Place & Community Services left the meeting whilst Members considered their decision)

10 **APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000274785**

Members were asked to consider an application for a Private Hire Diver Licence, reference number WK/000274785, having regard to offences recorded against the Driver.

It was noted that the Applicant's DBS certificate was not available in time for the meeting.

RESOLVED: That the Application for a Private Hire Driver Licence, reference number WK/000274785 be deferred for 1 meeting.

11 **APPLICATION FOR DUAL DRIVER LICENCE - WK/000274068**

Members were asked to consider an application for a Dual Diver Licence, reference number WK/000274068, having regard to offences recorded against the Driver.

RESOLVED: That the Application for a Private Hire Driver Licence, reference number WK/000274068 be GRANTED.

(Note: The Officers from Place & Community Services left the meeting whilst Members considered their decision)

12 **PRIVATE HIRE DRIVER LICENCE - WK/000274061**

Members were asked to consider an application for a Private Hire Diver Licence, reference number WK/000274061, having regard to offences recorded against the Driver.

It was noted that some information was not available in time for the meeting.

RESOLVED: That the Application for a Private Hire Driver Licence, reference number WK/000274061 be deferred for 1 meeting.

.....
Chairman

LICENSING & GAMBLING COMMITTEE

HELD: Tuesday, 4 October 2022

Start: 6.30 pm

Finish: 6.37 pm

PRESENT:

Councillor: N Furey (Chairman)
J Mee (Vice Chairman)

Councillors: G Owen
J Gordon
R Molloy
T Aldridge
G Johnson
J Monaghan

1 **APOLOGIES**

There were no apologies received.

2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the Membership of the Committee.

3 **URGENT BUSINESS**

There were no urgent items of business.

4 **DECLARATION OF PARTY WHIP**

There were no Declarations of Party Whip.

5 **DECLARATION OF INTEREST**

There were no Declarations of Interest.

6 **MINUTES**

RESOLVED: That the minutes of the meeting held on 7 December 2021 be held as a correct record and signed by the Chairman.

7 **MINUTES OF SUB-COMMITTEES**

RESOLVED: That the minutes of the meeting held on 28 February 2022, 3 May 2022, 18 July 2022 and 21 July 2022, be held as a correct record and signed by the Chairman.

8 **SEX ESTABLISHMENT POLICY**

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 21-33 of the Book of Reports, which sought approval of the draft Sex Establishment Licensing Policy 2023, prior to public consultation.

RESOLVED: That the draft statement of the Sex Establishment Licensing Policy, attached at Appendix 2 of the report, be approved.

.....
Chairman

POLLING DISTRICTS AND POLLING PLACES REVIEW COMMITTEE

HELD: Thursday, 6 October 2022

Start: 7.00 pm

Finish: 7.08 pm

PRESENT:

Councillor: G Owen (Chairman)
Councillors: G Dowling (Vice-Chairman) J Howard
A Owens D Westley
A Yates

Officers: Thomas Lynan, Electoral Services Manager
Jacky Denning, Democratic Services Manager

6 APOLOGIES

There were no apologies for absence.

7 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 J Howard for this meeting only, thereby giving effect to the wishes of the Political Groups.

8 DECLARATIONS OF INTEREST

There were no declarations of interests.

9 MINUTES

RESOLVED: That the minutes of the meeting held on 15 June 2022 be agreed as a correct record and signed by the Chairman.

10 INTERIM POLLING REVIEW 2022 - FINAL PROPOSALS REPORT

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 15 to 42 of the Book of Reports, which concluded an Interim Review of Polling Districts and Polling Places in line with the Representation of the People Act 1983, as amended (the 1983 Act).

A Motion to approve the Final Schedule of Proposals, subject to Polling District SSC in Skelmersdale South Ward being amended to retain the Mobile Unit at Beechtrees at this station, was moved and seconded, as the proposed 'Christ the Servant Church' would be outside the Polling District and not as easily accessible for voters.

A vote was taken the Motion was CARRIED.

RESOLVED: A. That the Final Schedule of Proposals as set out in Appendix 1, be approved, subject to Polling District SSC in Skelmersdale South Ward being amended to retain the Mobile Unit at Beechtrees.

- B. That the required change to the timetable of the Review, for the reasons given at paragraph 5, be endorsed.

.....
Chairman

Agenda Item 7e

PLANNING COMMITTEE

HELD: Thursday, 13 October 2022

Start: 7.00 p.m.

Finish: 7.55 p.m.

PRESENT:

Councillor: D O'Toole (Chairman)
J Finch (Vice-Chairman)

Councillors: M Anderson G Johnson
A Blundell G Owen
A Fennell E Pope
A Fowler J Thompson
J Howard Mrs J Witter

Officers: Steven Faulkner – Planning Services Manager
Kate Jones – Planning Services Team Leader
Judith Williams – Assistant Solicitor
Jill Ryan – Senior Democratic Services Officer

27 APOLOGIES

Apologies for absence were submitted on behalf of Councillor P Hogan.

28 MEMBERSHIP OF THE COMMITTEE

There were no changes to the Membership of the Committee.

29 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business received.

30 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

31 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

32 MINUTES

RESOLVED: That the minutes of the meeting held on the 8 September 2022 be approved as a correct record and signed by the Chairman.

33 PLANNING APPLICATIONS

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 89 to 118 of the Book of Reports and on pages 121 to 124 of the Late Information Report.

(Note: An Objector, Parish Clerk and Agent spoke in connection with Planning Application 2022/0273/FUL relating to Land to the rear of 126-160 Ormskirk Road, Up Holland).

34 2021/1506/FUL - STATION HOUSE, RED CAT LANE, BURSCOUGH

The Corporate Director of Place and Community submitted a report on planning application 2021/1506/FUL relating to Station House, Red Cat Lane, Burscough.

RESOLVED:(A) That planning application 2021/1506/FUL relating to Station House, Red Cat Lane, Burscough be approved subject to the conditions as set out on pages 100 to 102 of the Book of Reports and with the amendment to Condition 7 and two additional conditions as set out on page 122 of the Late Information (subject to (B)), and the provision of a Section 106 Unilateral Undertaking by the applicant.

(B) That the wording of one of the two additional conditions as set out on page 122 of the Late Information be amended as set out below:-

"Prior to first occupation of the development hereby permitted, a detailed scheme ensuring full and free level access facilities for disabled / wheelchair users are provided between Red Cat Lane and the eastbound platform to Burscough Bridge Station shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first occupation of the development and retained at all times thereafter.

Reason: To ensure appropriate access is maintained at all times for all rail users in accordance with Policy GN3 of the West Lancashire Local Plan Development Plan Document 2012-2027."

35 2022/0273/FUL - LAND TO THE REAR OF 126-160 ORMSKIRK ROAD, UP HOLLAND

The Corporate Director of Place and Community submitted a report on planning application 0273/FUL relating to Land to the Rear of 126-169 Ormskirk Road, Up Holland.

RESOLVED: That planning application 0273/FUL relating to Land to the Rear of 126-160 Ormskirk Road, Up Holland be refused for the reasons as set out on page 116 of the Book of Reports and with the

amendment to Reason for Refusal Condition 2 as set out on page 123 of the Late Information Report.

.....
Chairman

AUDIT & GOVERNANCE COMMITTEE

HELD: Tuesday, 25 October 2022

Start: 7.00 pm

Finish: 7.48 pm

PRESENT:

Councillor: E Pope (Chairman)

Councillors: I Davis J Finch
N Furey J Gordon
R Molloy D Owen
S Patel J Howard

In attendance: Georgia Jones – Director Grant Thornton
Ying Li – Assistant Manager Grant Thornton

Officers: Jacqueline Pendleton, Corporate Compliance & Governance
Manager
James Pierce, Head of Finance, Procurement and Commercial
Services
Simon Peet, Corporate Finance Manager (Deputy s151)
Julia Brown, Democratic Services Officer
Claire Kelly, Principal Solicitor and Deputy Monitoring Officer
Jennifer Lunn, Assistant Solicitor

29 APOLOGIES

Apologies were received on behalf of Councillor P O'Neill.

30 MEMBERSHIP OF THE COMMITTEE

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

31 URGENT BUSINESS

There were no urgent items of business.

32 DECLARATIONS OF INTEREST

There were no declarations of interest.

33 MINUTES OF PREVIOUS MEETING

RESOLVED: That the Minutes of the meeting held on 27 July 2022 be received as a correct record and signed by the Chairman.

34 PUBLIC SPEAKING

There were no items under this heading.

35 EXTERNAL AUDIT PROGRESS REPORT

Consideration was given to the External Audit Progress Report as contained on pages 285 to 298 of the Book of Reports.

The Chairman welcomed and invited Georgia Jones, Director and Ying Li Assistant Manager Grant Thornton, to present the report to the Committee.

Comments and Questions were raised as follows:

- Ongoing progress and audit deliverables
- Scope and role of external audit work
- Value for money
- financial resilience / sustainability
- Two further risks of significant weakness added in addendum/ review arrangements
- Progress in October reflecting revaluation of land and buildings
- Fees increased

RESOLVED: That the External Audit Progress Report be noted.

36 EXTERNAL AUDIT ADDENDUM TO THE AUDIT PLAN 2020/21

Consideration was given to the External Audit Addendum to the Audit Plan 2020/21 as contained on pages 299 to 304 of the Book of Reports.

The Chairman invited Georgia Jones Director and Ying Li Assistant Manager Grant Thornton, to present the report to the Committee.

Comments and Questions were raised in respect of:

- Update on Value for money - significant risks
- Two additional risks for audit consideration
- Procurement arrangements

RESOLVED: That the External Audit Addendum to the Audit Plan 2020/21 be noted.

37 EXTERNAL QUALITY ASSESSMENT OF INTERNAL AUDIT 2023

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 305 to 308 of the Book of Reports, the purpose of which was to consult members of the Audit & Governance Committee on the format of the external review of internal audit that is required by the Public Sector Internal Audit Standards and due in 2023.

The Corporate Compliance & Governance Manager outlined the details of the report.

RESOLVED:

- A. That the Audit and Governance Committee members authorise proceeding with the procurement of an external provider to undertake an external

assessment of the Internal Audit Service in the form of a validated self-assessment.

- B. That Audit and Governance Committee members delegate authority to the Corporate Compliance & Governance Manager and the Head of Finance, Procurement and Commercial Services (Section 151 Officer) to agree the specification of the assessment, assess quotations received based on cost and quality and to appoint an external provider to undertake the validated self-assessment review.

38 **INTERNAL AUDIT ACTIVITIES - PROGRESS REPORT**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 309 to 318 of the Book of Reports, which advised of progress against the 2022/23 Internal Audit Plan.

The Corporate Compliance & Governance Manager outlined the report and responded to comments and questions raised by Members:

- 33% of planned work completed
- Internal Audit staffing resources
- Concern in respect of Assurance reports: Playground Inspections – Limited Assurance / Information Governance – Door Security – Limited Assurance

RESOLVED:

- A. That Members note progress in the year to date.
- B. That a progress report for the Playground Inspections Audit Review be brought to the next committee meeting.

39 **ANNUAL GOVERNANCE STATEMENT 2020/21**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 319 to 336 of the Book of Reports. The purpose of which was to consider the Council's Annual Governance Statement for 2020/21.

The Corporate Compliance & Governance Manager outlined details of the report.

RESOLVED:

- A. That the Annual Governance Statement 2020/21, set out in Appendix 1, be approved, and commended to the Leader and Chief Operating Officer for signature subject to the following amendments:
1. That the review of the Local Code of Corporate Governance will be undertaken annually and presented to Audit and Governance Committee for approval by **31 January 2023**.
 2. That Page 11 of Appendix (page 334 of the Book of Reports) be amended to remove the wording in the significant governance issue section: 'issues out of the Council's control' to read " There has been a delay in the

completion of the external audit of the Council's Financial Statements for 2020/21. This was due to the impact of the Covid-19 pandemic, staffing resources and the need to meet new requirements such as the completion and incorporation of Group Accounts in the Financial Statements".

40 REGULATION OF INVESTIGATORY POWERS ACT - USE OF POWERS

Consideration was given to the report of the Legal and Democratic Services Manager as contained on pages 337 to 338 of the Book of Reports, the purpose of which was to report on the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

RESOLVED: That it be noted that the Council has not had cause to use its powers under the Regulation of Investigatory Powers Act 2000 (RIPA) during the last 12 months.

41 WORK PROGRAMME

Consideration was given to the Committee's 2022/23 Work Programme as set out on pages 339 to 340 of the Book of Reports.

The Chairman suggested that a joint presentation with Internal / External Audit take place in respect of 'Annual Accounts' on 31 January 2023. He informed that the briefing will require longer than 30 minutes, and that the Audit & Governance Committee meeting on this date will potentially start at 7.30pm to accommodate this.

RESOLVED:

- A. That the Committee Work Programme 2022/23 be agreed as follows:
 1. That a joint briefing from Internal/External Audit on 'Annual Accounts' be presented prior to the Committee on 31 January 2023.
 2. That the Audit & Governance Committee 31 January 2023 to potentially start at 7.30pm in order to accommodate the above-mentioned briefing.
 3. That the 'Social Value in Procurement' briefing be moved from 31 January 2023 to 30 May 2023.
 4. That a briefing in respect of 'Fraud' be held prior to the meeting of July 2023.

.....
Chairman

PRESENT:

Councillors: D Westley (Chairman)
I Davis (Vice-Chairman)
M Anderson R Molloy
D Whittington

Officers: Chris Twomey, Corporate Director Transformation, Housing and Resources
James Pierce, Head of Finance, Procurement and Commercial Services
Kay Lovelady, Legal and Democratic Services Manager
Marc Taylor, Investments Project Advisor
Jill Ryan, Principal Democratic Services Officer

22 **APOLOGIES**

There were no apologies received.

23 **MEMBERSHIP OF THE COMMITTEE**

In accordance with Regulatory Procedure Rule No.4, the Committee noted the termination of Councillors N Pryce-Roberts and A Yates and the appointment of Councillors M Anderson and R Molloy for this meeting only, thereby giving effect to the wishes of the Political Groups.

24 **URGENT BUSINESS**

There were no urgent items of business.

25 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

26 **MINUTES OF THE PREVIOUS MEETING**

AGREED: That the minutes of the meeting held on the 28 June 2022 be received as a correct record.

27 **WORK PROGRAMME / DATES OF FUTURE MEETINGS**

Consideration was given to the Committee's Work Programme as set out on page 273 of the Book of Reports.

A discussion ensued on future items that the Committee would like to see included and considered in the Work Programme.

RESOLVED: (A) That the following items be brought back to the next meeting of the Committee

- Update on the local partnership to record all progress made
- Longer term profit forecasts.
- Share the viability of the sites that are available to develop.

(B) That the Senior Democratic Services Officer liaise with the Chairman of the Committee to agree a mutual time and date for the next meeting.

28 **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(s) 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.

29 **DRAFT COUNCIL REPORT - TAWD VALLEY DEVELOPMENTS - DRAFT BUSINESS PLAN**

Consideration was given to the report of the Corporate Director of Housing, Transformation and Resources as contained on pages 275 to 361 of the Book of Reports, the purpose of which was to consider the latest business plan of Tawd Valley Developments Limited (TVDL), which is the Council's wholly owned Development Company. The report sought comments from the Committee before it is presented to Council on the 14 December 2022.

Comments and questions were raised in respect of the following:-

- The unknown financial issues in regard to the Junction 4 Project which was included in the Business Plan.
- Junction 4 was felt to be a commercial development which involved long term financial borrowing and would need approval by Council.
- The timescales of the Business Plan and the individual schemes within it.
- Possibility of Junction 4 remaining in the plan would allow the Council to scrutinise the Scheme.
- Whether the 13 action points in the LP independent review report of TVDL had been actioned in the Business Plan.
- That the business plan was felt to be a dynamic business plan by some members of the Committee which would change and evolve over time.
- A need for a comparison between the building of smaller and larger units on the Junction 4 project.

- Eco friendly schemes.
- Site condition survey and the energy performance standards in respect of Junction 4.
- The Green Shoots Project.
- The potential impact of the Liverpool freeport area on the Junction 4 project.
- In connection with freeports, it was felt important to lobby Government to get parts of West Lancashire included in the freeport area.
- It was felt that the draft Business Plan had plenty of time to grow and adjust moving forward.
- The risks involved with schemes and the information that should be provided to support them.
- That schemes should only be included in the Business Plan if there was certainty of the costs involved.
- Schemes that were for developing on Council owned land were considered to be a definite and should be being considered by Council in December, but the Junction 4 Scheme needed to be taken out of the Business Plan.
- Profit forecasts were discussed.
- Business rates and empty units.
- It was pointed out that the business plan report was seeking permission for TVDL to carry on with the plan as included in the report but that separate Council approval would be required for individual Council schemes to commence.
- Controlling of risks.
- The time plan, the process, and the need to be getting outline planning permission for Junction 4.
- Progress made in local partnership work.
- The number of houses the Council wanted to build and the numbers set out in the Local Plan.
- Whether the Council could obtain land to build houses on.
- Building of houses outside of the West Lancashire Borough.
- Concerns that the loan agreement taken out was not operating on a commercial basis.
- Treasury Management.
- It was felt that a premature Business Plan was going to be presented to Council in December 2022, and that it would be beneficial to bring back to February Council to discuss Housing issues.

RESOLVED: That the draft business plan be agreed with the exception of the Junction 4 project and, that this be transferred to the appendix showing the pipeline of project opportunities..

30 STAFFING RESOURCES IN HOUSING

Consideration was given to the report of the Corporate Director of Housing, Transformation and Resources as contained on pages 363 to 370 of the Book of Reports which set out to provide the Committee with an understanding of the issues affecting the resources within Housing Property Services and the capacity to deliver regeneration works.

Comments and questions were raised in respect of the following:-

- A review of staffing had commenced and would take 3 months to complete.
- The shortage of professional staff.
- The possibility of shared services and what the appetite would be for this.
- It was noted that Lancaster and Wigan had retained housing stock

RESOLVED: That the report be noted.

.....
Chairman

BUDGET / COUNCIL PLAN COMMITTEE

HELD: Tuesday, 1 November 2022

Start: 7.00 pm

Finish: 7.55 pm

PRESENT:

Councillors: A Yates (Chairman)
R Molloy (Vice-Chairman) I Davis
Y Gagen D Westley
D Whittington

In attendance: Councillor A Sutton & J Witter (Virtually)

Officers: James Pierce, Head of Finance, Procurement and Commercial Services
Simon Peet, Corporate Finance Manager (Deputy S151)
Claire Kelly, Principal Solicitor and Deputy Monitoring Officer
Jacky Denning, Democratic Services Manager

10 APOLOGIES

There were no apologies for absence.

11 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership.

12 URGENT BUSINESS

There were no urgent items of business.

13 DECLARATIONS OF INTEREST

There were no declarations of interests.

14 MINUTES OF PREVIOUS MEETING

The Committee was advised that in relation to Item 7 in the minutes '- update related to Resolution B, the timetable of key steps is still not confirmed due to the unknown purdah period, however officers are continuing to progress the survey work to seek views on the current plan – as well as councillors and key staff and key stakeholders and a draft question set for the survey is being finalised by officers and will be circulated to committee members for information.

RESOLVED: That the minutes of the meeting held on 28 September 2022, be received as a correct record and signed by the Chairman.

15 2022/23 GRA REVENUE Q2 MONITORING

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services, as contained on pages 39 to 42, 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.

Comments and questions were raised in respect of:

- Government Funding
- Energy Relief Funding for businesses

RESOLVED: That the report be noted and any comments be submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

16 2022/23 GRA CAPITAL Q2 MONITORING

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services, as contained on pages 43 to 51 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, and sought approval of the re-profiling, virements and budget adjustments contained within Appendix A and the additions of £1.800m to the 2022/23 budget and £296k 2023/24 budget.

A question was raised in respect to 'Right to Buy' sales.

RESOLVED: That the report be noted and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

17 2022/23 HRA REVENUE & CAPITAL Q2 MONITORING

Consideration was given to the report of the Head of Housing, Transformation & Commercial Services, as contained on pages 53 to 62 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2022/23 financial year and sought approval of the proposed budget adjustments identified in section 7 and paragraph 10.1 of the report.

RESOLVED: That the report be noted, and any comments submitted to the Housing Portfolio Holder in advance of the Council meeting on 14 December 2022.

18 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS Q2 MONITORING 2022-23

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 63 to 72 of the Book of Reports, which set out details of Treasury Management operations for the first half of 2022/23, reported on the Prudential Indicators, where available and sought approval of the changes to the Prudential Indicators highlighted in section 10.

Comments and questions were raised in respect of the following:

- the recent increase in interest rates
- borrowing requirements
- Reserves levels – ideally £5/6m mark and the impact from the pandemic, Brexit & the war in Ukraine on current levels
- Predictions around inflation levels
- Corporate Bonds option
- Council Tax payments – 12 month payment options

The Chairman gave an undertaking to consult with officers in respect of options going forward, including Corporate Bonds.

The Head of Finance, Procurement & Commercial Services gave an undertaking to feedback to the Committee on the option for offering residents the payment of Council Tax over a 12 month period.

RESOLVED: That the report be noted and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

19 **WORK PROGRAMME**

Consideration was given to the Committee's 2023 Work Programme as set out on page 73 of the Book of Reports.

Comments and questions were raised in respect of the following:

- when the Committee would consider proposals for meeting the budget gap.
- Officer suggestions
- Statutory and non-statutory functions
- Collaborative working between Groups

The Committee was advised that political group budget sessions would be held by the end of November 2022.

RESOLVED: A. That the Committee Work Programme 2023 be agreed.

B. That a meeting of the Committee be held in December 2022 on the officers base budget options.

.....
Chairman

Agenda Item 7i

LEISURE PROCUREMENT COMMITTEE

HELD: Wednesday, 2 November 2022

Start: 7.00 p.m.

Finish: 8.28 p.m.

PRESENT:

Councillor: D Westley (Chairman)
C Coughlan (Vice-Chairman)

Councillors: Y Gagen A Owens
J Howard

In Attendance: J Foley, Alliance Leisure
P Curtis, Hadron Consulting

Officers: Simon Kirby, Head of Wellbeing and Leisure Services
Tom Dickinson, Principal Solicitor
Rebecca Connick, Leisure Procurement Project Co-ordinator
Jennifer Lunn, Senior Legal Executive/Assistant Solicitor
Jill Ryan, Principal Democratic Services Officer

1 **APOLOGIES**

There were no apologies for absence received.

2 **MEMBERSHIP OF THE COMMITTEE**

In accordance with Regulatory Procedure Rule No.4, the Committee noted the termination of Councillor R Bailey and the appointment of Councillor J Howard for this meeting only, thereby giving effect to the wishes of the Political Groups.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

5 **TERMS OF REFERENCE**

RESOLVED: That Council approves the following Terms of Reference of the Committee:

Functions

- (a) To consider the opportunities available for the procurement of a new partnership arrangement for the provision of leisure services, which would include significant capital investment for built sports provision, as outline in

the Key Action Plan of the Council's Leisure Strategy.

(b) To report recommendations to Cabinet (and Council when required).

Delegations

None. The Committee will be consulted on reports prior to being submitted to Cabinet. As such, these reports will not be routinely submitted to Executive Overview & Scrutiny Committee, unless a specific request is made.

6 UPDATE OF NEW FACILITY BUILDS

The Head of Wellbeing and Leisure introduced James Foley from Alliance Leisure and Peter Curtis from Hadron Consulting who gave a joint presentation on the new facility builds in Ormskirk and Skelmersdale.

The presentation outlined the progress made on both schemes and an opportunity was given to members of the Committee to ask questions.

Comments and questions were raised in respect of the following:-

- The financial information received, and the important fact that the projects would be driven by affordability.
- The use of Levelling up Fund monies.
- It was felt that consultation was important which would give people renewed faith that the development is ongoing.
- The Youth Zone in Skelmersdale and the possibility of one in the Ormskirk build.
- The progress made on the new builds was welcomed and Members were pleased with progress made.
- The effect that rising energy costs could have on the affordability of heating swimming pools. It was felt that this was an important factor.
- Delivering not just aesthetical buildings but environmentally friendly buildings was important.
- The layout and design of the two new Leisure Centres was welcomed.
- Burscough Sports Centre, more details were requested on this scheme, and it was reported that Members would be receiving a more detailed update on the Burscough Sports Centre in the future.

RESOLVED: A. That the contents of the presentation be noted.

B. That James Foley from Alliance Leisure and Peter Curtis from Hadron Consulting be thanked for their informative presentation.

(Note: James Foley and Peter Curtis left the meeting at this point and were not present for the remainder of the meeting).

7 UPDATE ON SPORT AND LEISURE MANAGEMENT TENDER

The Head of Wellbeing and Place gave an update to the Committee on the sport and leisure management tender.

He informed the Committee that a report would be brought back to the next meeting of this Committee.

RESOLVED: That the update be noted,

8 DATE OF NEXT MEETING

RESOLVED: That the date of the next meeting would be the 29 November 2022 as scheduled.

9 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.

10 BEACON GOLF COURSE AND PARK

The Head of Wellbeing and Place introduced his report the purpose of which was to consider a report from external consultants in relation to the future of the Beacon Golf Course. Consideration was also to be given to the options and cost implications in respect of the future operation of the golf course and associated buildings.

Comments and questions were raised in respect of the following:

- In relation to the ground's maintenance of the site if the golf course was to close and the costs involved.
- Looking at the bigger picture if the golf club closed, opening up the area to attract more people.
- More involvement of the Rangers, holding workshops to attract more visitors to the Beacon
- Improvement of the existing Club House, how this could be developed
- Aiming to deliver a financially viable establishment
- Enhancement to Beacon Park including the access road to the site this was felt to be in desperate need of improvement
- Toilets on site were deemed to be inadequate and improvements needed.

- The use of football pitches in the area, so many unabandoned pitches already in the Borough, Burscough Dynamo ran facilities for us which was successful bearing in mind issues already ongoing with pitches at Blaguegate.
- Use of wildflower patches to enhance the area.
- Financial implications were not felt to be very clear, and more information needed in the report.
- Planning considerations to be taken into account, relevant planning application being submitted.
- Possibility of animals up at the Beacon and an Eco School using the site.
- Energy issues and solar farms.

RESOLVED: That the following agreed comments of the Leisure Procurement Committee be submitted to Cabinet:-

- Improvements to the access road and toilets will be undertaken in due course.
- That Option F as outlined in the report at paragraph 7.1.6 on page 8 of the report was agreed as the best option to take forward subject to more financial information being available.

.....
Chairman

PLANNING COMMITTEE

HELD: Thursday, 24 November 2022

Start: 7.00 p.m.

Finish: 8.43 p.m.

PRESENT:

Councillor: D O'Toole (Chairman)
J Finch (Vice-Chairman)

Councillors: M Anderson J Gordon
A Blundell G Johnson
A Fennell G Owen
A Fowler E Pope
J Howard J Thompson

Officers: Paul Charlson – Head of Planning and Regulatory Services
Steve Faulkner – Planning Services Manager
Kate Jones – Planning Services Team Leader
David Delaney – Planning Assistant Solicitor
Jill Ryan – Principal Democratic Services Officer

36 APOLOGIES

Apologies for absence were received from Councillor Paul Hogan.

37 MEMBERSHIP OF THE COMMITTEE

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

38 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business received.

39 DECLARATIONS OF INTEREST

Councillor A Blundell declared a pecuniary interest in respect of planning application 2022/0769/FUL in relation to Bungalow Farm, Heatons Bridge Road, Scarisbrick as he considered himself to be pre-determined. Scarisbrick Parish Council had objected against this application, and he had been part of this decision-making process in his role as a Parish Councillor.

40 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

41 MINUTES

RESOLVED: That the minutes of the meeting held on the 13 October 2022 be approved as a correct record and signed by the Chairman.

42 PLANNING APPLICATIONS

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 13- to 223 of the Book of Reports and on pages 225 to 228 of the Late Information Report.

(Notes:

1. Councillor A Blundell left the Chamber during consideration of planning application 2022/0769/FUL relating to Bungalow Farm, Heatons Bridge Road, Scarisbrick as he had declared a pecuniary interest on this application and therefore took no part in the decision-making process.
2. 2 Objectors, 1 Parish Councillor and the Agent spoke in connection with planning application no. 2022/0769/FUL relating to Bungalow Farm, Heatons Bridge Road, Scarisbrick.
3. Councillor Katie Jukes spoke in connection with planning application 2021/0684/FUL relating to the South West Lancs Pistol Club, Farley Lane, Roby Mill, Up Holland.
4. 1 Objector and the Agent spoke in connection with planning application 2020/1251/OUT relating to Land at the Junction with Pinfold Road, Wigan Road, Ormskirk.)

43 2022/0769/FUL - BUNGALOW FARM, HEATONS BRIDGE ROAD, SCARISBRICK

The Corporate Director of Place and Community submitted a report on planning application number 2022/0769/FUL relating to Bungalow Farm, Heatons Bridge Road, Scarisbrick.

RESOLVED: That planning application 2022/0769/FUL relating to Bungalow Farm, Heatons Bridge Road, Scarisbrick be deferred to allow for further consideration of issues relating to access / temporary access and highway safety.

44 2022/0887/FUL - HARTLAND, BIRCH GREEN, SKELMERSDALE

The Corporate Director of Place and Community submitted a report on planning application number 2022/0887/FUL relating to Hartland, Birch Green, Skelmersdale.

RESOLVED: That planning application 2022/0887/FUL relating to Hartland, Birch Green, Skelmersdale be approved subject to the conditions and reasons as set out on pages 153 to 159 of the Book of Reports.

45 2021/0684/FUL - SOUTH WEST LANCS PISTOL CLUB, FARLEY LANE, ROBY MILL, UP HOLLAND, SKELMERSDALE

The Corporate Director of Place and Community submitted a report on planning application number 2021/0648/FUL relating to South West Lancs Pistol Club, Farley Lane, Roby Mill, Up Holland, Skelmersdale.

RESOLVED: That planning application 2021/0684/FUL relating to South West Lancs Pistol Club, Farley Lane, Roby Mill, Up Holland, Skelmersdale be deferred to identify and confirm the status of late representation received anonymously.

a 2020/1133/FUL - 38 DAISY LANE, LATHOM, ORMSKIRK

The Corporate Director of Place and Community submitted a report on planning application number 2020/1133/FUL relating to 38 Daisy Lane, Lathom, Ormskirk.

RESOLVED: That planning application 2020/1133/FUL relating to 38 Daisy Lane, Lathom, Ormskirk be approved subject to the conditions and reasons as set out on pages 186 to 191 of the Book of Reports.

46 2020/1251/OUT - LAND AT THE JUNCTION WITH PINFOLD ROAD, WIGAN ROAD, ORMSKIRK

The Corporate Director of Place and Community submitted a report on planning application number 2020/1251/OUT relating to Land at the Junction with Pinfold Road, Wigan Road, Ormskirk.

RESOLVED: (A) That the decision to grant planning application 2020/1251/OUT relating to Land at the Junction with Pinfold Road/Wigan Road, Ormskirk be delegated to the Corporate Director of Place and Community in consultation with the Chairman or Vice-Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to require:-

- The terms, conditions and phased delivery of the affordable housing and specialist housing.
- Provision of public open space within the site.
- Management Company for the maintenance of the onsite POS. informal landscaping and estate roads.

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 3 months of the date of the Committee resolution, the Director of Place and Community be given delegated authority to refuse this application.

(B) That any planning permission granted by the Corporate

Director of Place and Community be subject to the conditions and reasons as set out on pages 203 to 210 of the Book of Reports.

47 **2022/0895/FUL - HOSCAR COTTAGE, HOSCAR MOSS ROAD, LATHOM, ORMSKIRK**

The Corporate Director of Place and Community submitted a report on planning application number 2022/0895/FUL relating to Hoscar Cottage, Hoscar Moss Road, Lathom, Ormskirk.

RESOLVED: That planning application 2022/0895/FUL relating to Hoscar Cottage, Hoscar Moss Road, Lathom, Ormskirk be deferred for one cycle to allow for a site visit to take place.

.....
Chairman



BUDGET/COUNCIL PLAN COMMITTEE:
1 November 2022

**EXECUTIVE OVERVIEW & SCRUTINY
COMMITTEE: 3 November 2022**

CABINET: 15 November 2022

COUNCIL: 14 December 2022

Report of: Head of Finance, Procurement and Commercial Services

Relevant Portfolio Holder: Councillor Adam Yates

Contact for further information: Peter Quick (Ext 5203)
(E-mail: peter.quick@westlancs.gov.uk)

SUBJECT: 2022/23 GRA REVENUE Q2 MONITORING

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To provide a summary of the General Revenue Account (GRA) position for the 2022/23 financial year at quarter 2 and approve the budget amendments set out below.

2.0 RECOMMENDATIONS TO BUDGET/COUNCIL PLAN COMMITTEE

2.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

3.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

4.0 RECOMMENDATIONS TO CABINET

4.1 That the 2022/23 GRA position be noted and endorsed.

5.0 RECOMMENDATIONS TO COUNCIL

5.1 That the 2022/23 GRA position be noted.

5.2 That the budget amendments reported be approved.

6.0 BACKGROUND

- 6.1 In February 2022, Council agreed the 2022/23 GRA Net Budget of £14.953m
- 6.2 The 2022/23 budget was set prior to the worsening of the cost-of-living crisis and the escalating inflation and energy costs. The quarter 1 position included some early estimations in the context of energy and other cost pressures along with materials shortages.

7.0 GENERAL REVENUE ACCOUNT: QUARTER 2 POSITION

- 7.1 The table below reflects changes to the original budget approved by Council in February 2022. The changes reflect in-year budget and technical realignments to better reflect statutory reporting requirements, and changes in team structures. The approved net budget of £14.953m has not changed.

2022/23	Original Budget £000s	Revised Budget £000's
Corporate and Customer Services	5,753	5,760
Legal and Democratic Services	1,111	1,123
Environmental Services	6,425	6,556
Finance, Procurement and Commercial Services	(1,271)	(755)
Housing	836	839
Planning and Regulatory	1,813	1,947
Wellbeing and Place	1,740	1,232
Central Service: Corporate Budgets	965	728
Central Service: Corporate Staff Vacancy Factor	(1,014)	(1,014)
NET SERVICE BUDGET	16,358	16,416
Non Service: Treasury Management	(122)	(122)
Non Service: Reserves	(1,283)	(1,341)
NET BUDGET	14,953	14,953
Council Tax	(8,227)	(8,227)
Business Rates: Retained Income	(2,793)	(2,793)
Business Rates: S31 Grants	(2,850)	(2,850)
Government Grants	(1,083)	(1,083)
FUNDING	(14,953)	(14,953)

- 7.2 The table below provides quarter 2 forecast outturn estimates against the revised budget. The mid-year net forecast position is a shortfall of £500k, this compares with £240k forecast shortfall at quarter 1. Further details are provided below.

<u>2022/23</u>	Revised Budget £000s	Q1 Var. £000s	Q2 Var. £000s	Comments
Corporate and Customer Services	5,760	0	(200)	Vacancies
Legal and Democratic Services	1,123	0	0	
Environmental Services	6,556	0	200	Staffing
Finance, Procurement and Commercial Services	(755)	0	(70)	Various running cost budgets
Housing	839	0	0	Vacancies Energy costs
Planning and Regulatory	1,947	0	0	Vacancies Planning income down
Wellbeing and Place	1,232	0	0	Review of repairs pending
Central Service: Corporate Budgets	728	0	0	
Central Service: Corporate Staff Vacancy Factor	(1,014)	0	400	Pay award
NET SERVICE BUDGET	16,416	0	330	
Non Service: Treasury Management	(122)	240	170	Rising interest rates
Non Service: Reserves	(1,341)	0	0	
NET BUDGET	14,953	240	500	To be met from reserves
Council Tax	(8,227)	0	0	
Business Rates: Retained Income	(2,793)	0	0	
Business Rates: S31 Grants	(2,850)	0	0	
Government Grants	(1,083)	0	0	
FUNDING	(14,953)	0	0	

Quarter 2: Review

7.3 At quarter 1 it was reported that:

- The 2022/23 Net Budget included an increase to the vacancy factor of £569k, from £445k (around 2.5% of salary costs) to £1.014m (around 6%), and
- The current Local Government pay offer for 2022/23 is a flat increase of £1,925 per full time employee, regardless of grade. An estimation of the cost impact is c.£1.036m (around 6% of salary costs), the budget approved in February included for a 3% uplift, therefore 3% or £518k was not budgeted and is an in-year budget pressure.

7.4 Each service heading in the table above includes the forecast for the overall 6% pay settlement but staffing budgets have not yet been uplifted to reflect the additional 3% or £518k.

7.5 The quarter 1 forecast reported that the increased vacancy factor and pay offer could be contained within existing salary budgets. During quarter 2, as the Council continues to recruit into vacant posts and the use of agency staff to cover key posts in the establishment, the latest forecast shows that the in-year budget pressure of £518k cannot be contained within existing salary budgets.

Quarter 2: Forecast Outturn

7.6 The effect of above budgeted pay offer of £518k, now makes the achievement of the corporate vacancy factor target unlikely and an under achievement of £400k is being reported at quarter 2.

- 7.7 Management will continue to monitor, recruitment and the use of agency staff to actively manage staffing budget spend, along with non-pay budgets for the remainder of the financial year. To ensure actions can be taken to offset the in-year budget pressure caused by the over budgeted pay offer, and the need to draw upon reserves at year-end.
- 7.8 Government have recently announced the support being offered to commercial energy users such as WLBC. It was anticipated in quarter 1 that energy budget pressure of around £200k could be contained within existing budgets. The additional support is likely to reduce the budget pressure which can still be contained within overall service budgets.
- 7.9 The forecasted shortfall in treasury management income, reported at quarter 1 of £240k, is expected to reduce by £70k to around £170k at quarter 2, due to rising interest rates. As reported previously, the SORP assumptions about higher cash balances than are currently available make the Treasury Management target unrealistic.

8.0 SUSTAINABILITY IMPLICATIONS

- 8.1 Careful monitoring the budget position helps ensure that the GRA remains able to deliver services and is financially sustainable in the medium term.

9.0 RISK ASSESSMENT

- 9.1 The formal reporting of performance on the General Revenue Account is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. This process is resource intensive for both Members and Officers but ensures that a robust and achievable budget is set.
- 9.2 The 2022/23 pay offer of around 6% of salary costs, is 3% above the 3% included in the budget approved in February 2022, that results in an in-year budget pressure of £518k. Management will continue to monitor pay and non-pay budgets for the remainder of the financial year to reduce the need to draw upon reserves at year-end.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendices

1. Minute of the Budget/Council Plan Committee 1 November 2022
2. Minute of the Executive Overview & Scrutiny Committee 3 November 2022
3. Minute of Cabinet 15 November 2022

15 **2022/23 GRA REVENUE Q2 MONITORING**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services, as contained on pages 39 to 42, 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.

Comments and questions were raised in respect of:

- Government Funding
- Energy Relief Funding for businesses

RESOLVED: That the report be noted and any comments be submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

47 **22/23 QUARTER 2 GRA REVENUE MONITORING**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 475 to 478 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 to approve the budget amendments.

The Corporate Finance Manager outlined the report and responded to comments and questions raised by Members.

RESOLVED: That the Quarter 2 GRA Revenue Monitoring report be noted.

(Note: The Chairman informed, as agreed at the previous meeting of the Committee, that future financial reports not requiring a decision will be considered by the newly established Budget/Council Plan Committee)

40 **2022/23 QUARTER 2 GRA REVENUE MONITORING**

The Leader, Councillor Gagen introduced the report of the Head of Finance, Procurement & Commercial Services, 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.

The Minutes of the Budget/Council Plan and the Executive Overview & Scrutiny Committees had been circulated prior to the meeting.

In reaching the decision below, the Cabinet considered the report before it and the recommendations contained therein.

RESOLVED: That the 2022/23 GRA position be noted, and the budget amendments reported be endorsed.



**Budget/Council Plan Committee:
1 November 2022**

**Executive and Overview & Scrutiny
Committee: 3 November 2022**

CABINET: 15 November 2022

COUNCIL: 14 December 2022

Report of: Head of Finance, Procurement and
Commercial Services

Relevant Portfolio Holder: Councillor Adam Yates

Contact for further information: Cathy Murphy (Ext. 5057)
(E-mail: Cathy.Murphy@westlancs.gov.uk)

SUBJECT: 2022/23 GRA CAPITAL Q2 MONITORING

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To provide the Revised General Revenue Account (GRA) Capital Programme for 2022/23 and an update on the progress of capital schemes at quarter 2.

2.0 RECOMMENDATIONS TO BUDGET/COUNCIL PLAN COMMITTEE

2.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

3.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

4.0 RECOMMENDATIONS TO CABINET

4.1 Note and endorse the revised Capital Programme for 2022/23 of £12.147m, including the re-profiling, virements and budget adjustments contained within Appendix A.

4.2 Note and endorse the 2022/23 budget additions of £1.800m to the 2022/23 budget and £296k 2023/24 budget, to existing schemes within the approved programme, contained in Appendix A for approval by Council in December 2022.

4.3 Note the progress against the Revised Capital Programme at Quarter 2.

5.0 RECOMMENDATIONS TO COUNCIL

5.1 Note the revised Capital Programme for 2022/23 of £12.147m,

5.2 Approve the re-profiling, virements and budget adjustments contained within Appendix A.

5.3 Approve the 2022/23 budget additions of £1.800m to the 2022/23 budget and £296k 2023/24 budget, to existing schemes within the approved programme, contained in Appendix A.

5.4 Note the progress against the Revised Capital Programme at Quarter 2.

6.0 BACKGROUND

6.1 The Capital Programme is set on a three-year rolling basis and the programme for 2022/2023 to 2024/2025 was approved by Council in February 2022.

6.2 In accordance with best practice, the Capital Programme is subject to revision during the year to ensure that it is based on the latest available information and to make monitoring of the Programme more meaningful. It enables Managers to review their schemes with the most up to date information and to review the resources available. It also provides a base upon which to build future Capital Programmes.

6.3 Members are kept informed of the financial position of the Capital Programme through monitoring reports. The Housing Revenue Account programme is subject to a separate report, this report concentrates on the GRA Capital Programme.

7.0 REVISED CAPITAL PROGRAMME

7.1 The original 2022/23 Capital Programme of £6.033m was set at February 2022 Council, the re-profiling of £9.262m from 2021/22 into 2022/23 was further approved at July 2022 Council, so that the total Capital Programme for 2022/23 at quarter 1 totals £15.295m.

7.2 The 2022/23 budget will increase by £1.800m due to the following schemes:

- Disabled Facilities Grant of £1.444m
- Moor Street Phase 2 has overspent by £84k at the end of Quarter 2 and is expected to spend another £136k which will be funded partly by HAZ (Heritage Asset Zone) and Lancashire County Council.
- Cycle Trail funding has increased to £442k, the original funding was for £257k but an extra £185k has been secured via a grant.
- Safer Streets will reduce to £39k which is funded by a grant.
- Emergency works totalling £32k to be undertaken at the Chapel Gallery

The revised GRA Capital Programme at quarter 2 totals £17.095m of which £4.755m is funded by Capital Receipts following these changes.

7.3 Heads of Service have undertaken a review of their respective schemes and are proposing changes and re-profiling into future years of the Capital Programme to match the anticipated timing of spending, that are a result of more up to date information becoming available.

7.4 On completion of the review, a fully revised 3-year 2022/23 to 2024/25 Capital Programme, will be presented at December 2022 Council for approval and form the basis of the 2023/24 to 2025/26 Capital Programme budget setting.

7.5 The proposed re-profiling of £4.948m from the 2022/23 Capital Programme into future years is analysed in Appendix A, large schemes include:

- Leisure Facilities Project £3m.
- Burscough Sports Centre £386k
- Revenue Transformation costs £300k.
- Affordable Housing £247k.

7.6 Therefore the re-profiled Capital Programme for 2022/23 is now £12.147m, this can be subject to change if any further information becomes available prior to Council in December 2022.

8.0 CAPITAL EXPENDITURE

8.1 Generally, capital schemes are profiled with relatively low spending compared to budget in the early part of the financial year with increased spending as the year progresses. This reflects the fact that many new schemes have considerable lead in times. Other schemes are dependent on external partner funding and can only begin once their funding details have been finalised. Other related issues include contract retentions or contingencies that will only be spent some time after completion of the contract.

8.2 For the current year, of the re-profiled Capital Programme of £12.147m, £3.361m (28%) has been incurred at the end of quarter 2, £8.783m (72%)

remains to be utilised in quarters 3 and 4 and £4k will not be utilised or used in future years and will be returned to Capital Pot.

9.0 CAPITAL RESOURCES

9.1 There are sufficient resources identified to fund the 2022/23 Revised Capital Programme as shown in Appendix A.

9.2 The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy legislation) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold.

9.3 The budget for useable capital receipts (including the affordable housing element) to be generated from Council House sales in the year is set at £0.960m from 50 sales. At quarter 2, 35 sales had been completed and the target for the year is expected to be met.

10.0 SUSTAINABILITY IMPLICATIONS

10.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. The Capital Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital investment plans are affordable, prudent, and sustainable. This report provides an updated position on project plans and shows progress against them.

11.0 RISK ASSESSMENT

11.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.

11.2 Schemes within the Capital Programme that are reliant on external contributions and/or decisions are not started until funding is secured. Other resources that are subject to fluctuations are monitored closely to ensure availability. The Capital receipts position is scrutinised on a regular basis and managed over the medium term to mitigate the risk of unfunded capital expenditure.

12.0 HEALTH AND WELLBEING IMPLICATIONS

12.1 Some of the Capital Schemes will enhance the Health and Wellbeing of residents and the management of the delivery is ensured via the reporting mechanism.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The majority of the budget issues set out in this report have been the subject of previous reports to committees and consequently an Equality Impact Assessment has already been prepared for them where relevant.

Appendices

- A 2022/23 Revised GRA Capital Programme: Spend to Date Against Budget Appendices
- B. Minute of the Budget/Council Plan Committee 1 November 2022
- C. Minute of the Executive Overview & Scrutiny Committee 3 November 2022
- D. Minute of Cabinet 15 November 2022

APPENDIX A: 2022/23 GRA CAPITAL PROGRAMME

	2022/23											2023/24				2024/25		Notes
	Approved Budget Feb 2022	Re-profiling from 2021/22 July 2022	In-Year Approvals Dec 2022	Total Budget	Q1 Actual Spend	Q2 Actual Spend	Remaining Budget	Q3 Forecast Spend	Q4 Forecast Spend	Forecast Spend	Potential Slippage	Approved Budget Feb 2022	In-Year Approvals Dec 2022	Slippage from 2022/23	Total Budget	Recurring and Continuation of Schemes	Total Budget	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
SERVICE and SCHEME:																		
Finance Procurement & Commercial Services																		
Parish Capital Schemes	£30	£12		£42	£1	£10	£31	£0	£21	£32	£10	£30		£10	£40	£30	£30	Projects have to be completed within 2 years so unspent budget has to be spent in 2023/24
Restructuring Costs	£0	£152		£152		£0	£152	£0		£0	£152			£152	£152		£0	These costs are Ad-hoc
Capitalise revenue transformation costs.	£0	£300		£300		£0	£300	£0		£0	£300			£300	£300		£0	These costs are Ad-hoc
Building Compliance on Commercial Property	£20	£20		£40		£0	£40	£40		£40	£0	£20		£20	£20		£0	
Culvert Debris Screens	£0	£2		£2		£0	£2	£2		£2	£0			£0	£0		£0	
Skelmersdale Town Centre	£0	£5,220		£5,220		£1,408	£3,812	£1,906	£1,906	£5,220	£0			£0	£0		£0	This is an ongoing project
Etarmis System	£0	£17		£17		£0	£17	£0	£17	£17	£0			£0	£0		£0	
Wellbeing & Leisure																		
WL Play Strategy Improvements	£108	£629		£737		£261	£476	£250		£511	£226	£30		£226	£256		£0	delays due to resource capacity, procurement and delivery delays
Burscough Sports Centre	£0	£386		£386		£0	£386	£0		£0	£386			£386	£386		£0	This project has been placed on hold pending finalisation of the new Leisure Hubs procurement project.
Allotment Improvements	£0	£4		£4		£0	£4	£0	£4	£4	£0			£0	£0		£0	
Tawd Valley	£0	£58		£58	£2	£1	£55	£20		£23	£35			£35	£35		£0	developments on site are an ongoing process. For some of the schemes (mountain bike track, community room) we have received additional match funding beyond original estimated budgets
Chapel Gallery phase 3	£0	£1	£32	£33		£0	£33	£32	£1	£33	£0			£0	£0		£0	
Health Avenue	£0	£40		£40		£0	£40	£0	£40	£40	£0			£0	£0		£0	
Nye Bevan Pool Building Works	£0	£9		£9		£0	£9	£0	£9	£9	£0			£0	£0		£0	
Park Pool Building works	£0	£10		£10		£0	£10	£0	£10	£10	£0			£0	£0		£0	
Bowling Greens	£0	£11		£11		£0	£11	£0	£11	£11	£0			£0	£0		£0	
Whittle Drive	£0	£37		£37		£0	£37	£0	£37	£37	£0			£0	£0		£0	
Abbey Lakes	£0	£11		£11		£0	£11	£11		£11	£0			£0	£0		£0	
Cycle Trail at Cheshire Lines	£0	£257	£185	£442	£9		£433	£0	£433	£442	£0			£0	£0		£0	cost increases and specification changes by partners mean delay as additional resources are sought
Resurfacing of Blaguegate Lane	£0	£160		£160		£0	£160	£0		£0	£160			£160	£160		£0	probably going back to the CCG
Leisure Facilities Project	£4,000	£0		£4,000	£109	£41	£3,849	£0	£849	£1,000	£3,000			£3,000	£3,000		£0	
Community environmental improvements	£6	£0		£6			£6	£6		£6	£0			£0	£0		£0	
Christmas trees & decorations for Skelmersdale	£25	£0		£25			£25	£25		£25	£0			£0	£0		£0	
Environmental Services																		
Purchase of Vehicles	£0	£2		£2	£0		£2		£2	£2	£0			£0	£0		£0	
Expand In Cab System	£0	£1		£1			£1	£1		£1	£0			£0	£0		£0	
Waste Collection Projects	£2	£0		£2			£2	£0		£0	£2			£0	£0		£0	
Litter Bin Policy Review (Cabinet November 2019)	£73	£0		£73		£3	£70	£57	£13	£73	£0	£60		£60	£60		£0	
Liverpool Road Cemetery	£0	£1		£1		£0	£1	£0		£0	£1			£1	£1		£0	
Waste Management Service	£35	£0		£35		£0	£35	£0	£0	£0	£35			£35	£35		£0	White Paper has been released now awaiting LCC
Robert Hodge Centre - external site improvements relating to Health and Safety Traffic Flow	£0	£16		£16		£0	£16			£0	£16			£16	£16		£0	
Glutton Vacuum Cleaner	£20	£0		£20		£0	£20	£20		£20	£0			£0	£0		£0	
Beaconsall Closed Church Yard	£30	£0		£30		£0	£30			£0	£30			£30	£30		£0	This is with legal and hopefully won't be needed
Tree Management	£50	£0		£50		£0	£50	£50		£50	£0	£50		£50	£50		£0	
Culvert Management	£50	£0		£50		£0	£50		£30	£30	£20	£50		£20	£70		£0	awaiting quotes for a consultant, 1st quote is £30k
Replace faulty domestic bins	£10	£0		£10		£0	£10	£1	£9	£10	£0	£10		£10	£10		£0	
5 additional mobile CCTV bundles to address flytipping	£6	£0		£6	£2	£0	£4		£4	£6	£0			£0	£0		£0	awaiting report being written as to why essential will be spent Q4

APPENDIX A: 2022/23 GRA CAPITAL PROGRAMME

	2022/23											2023/24				2024/25		Notes
	Approved Budget Feb 2022	Re-profiling from 2021/22 July 2022	In-Year Approvals Dec 2022	Total Budget	Q1 Actual Spend	Q2 Actual Spend	Remaining Budget	Q3 Forecast Spend	Q4 Forecast Spend	Forecast Spend	Potential Slippage	Approved Budget Feb 2022	In-Year Approvals Dec 2022	Slippage from 2022/23	Total Budget	Recurring and Continuation of Schemes	Total Budget	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Growth and Development																		
Moor Street Phase 2	£0	£177	£220	£397	£7	£255	£136	£0	£136	£397	(£0)						£0	Have been advised by the budget manager that this overspend will be funded by a grant from Lancashire County Council
Moor Street/St Helens Road				£0			£0			£0	£0		£276	£276			£0	
Free Trees	£20	£0		£20			£20	£0	£20	£20	£0	£6		£6			£0	
Conservation Area Enhancement	£0	£14		£14			£2	£0	£12	£14	£0			£0			£0	
Skelmersdale Vision	£0	£11		£11			£0	£0	£11	£11	£0			£0			£0	
Wheatsheaf Walks	£0	£1		£1			£0	£0	£1	£1	£0			£0			£0	
Affordable Housing	£247	£0		£247			£0	£0	£0	£0	£247			£247			£0	No site has been identified as of yet, spend to go through Tawd Valley Developments. Expect it will be 2023/2024 but cannot be confirmed
Preservation of Buildings at Risk	£0	£1		£1			£0	£0	£1	£1	£0			£0			£0	
Abbey Lake Quarry	£0	£20		£20			£0	£0	£20	£20	£0			£0			£0	
Mill Dam Lane	£0	£3		£3			£0	£0	£3	£3	£0			£0			£0	
Alder Lane	£0	£5		£5			£0	£0	£5	£5	£0			£0			£0	
Economic Regeneration	£0	£5		£5				£0	£5	£5	£0			£0			£0	
Skelmersdale Gateway Improvements	£0	£50		£50					£50	£50	£0			£0			£0	Part of Eastern Gateway scheme which has been delayed due to LCC awaiting planning approvals
Cycle Path (S106)	£0	£10		£10				£10	£10	£10	£0			£0			£0	
Carriageway Improvement	£0	£199		£199				£199	£0	£199	£0			£0			£0	Part of Eastern Gateway scheme which has been delayed due to LCC awaiting planning approvals
Challenging Places Facility	£60	£0		£60				£60	£60	£60	£0			£0			£0	
Housing and Regulatory Services																		
Corporate Property Investment Programme	£164	£75		£239		£46	£193	£97	£97	£239	£0	£164		£164	£164	£164	£164	Plans are now being put in place in regards to this, Sandra will advise how spent by awaiting prices, looking at IDOX but could still be M3PP
M3PP System Replacement	£50	£40		£90			£90	£0	£0	£0	£90		£90	£90			£0	
Housing Renewal Grants	£0	£0		£0			£0	£0	£0	£0	£0	£50		£50			£0	
Disabled Facilities Grants	£0	£0	£1,444	£1,444	£324	£670	£450	£225	£225	£1,444	(£0)			£0			£0	This is funded in full by a grant from Central Government
CCTV	£0	£212		£212			£212	£0	£212	£212	£0			£0			£0	This was delayed to being procured as one project and is currently now out to tender
Burscough Sports Centre - roofing upgrades	£0	£20		£20			£20	£0	£0	£0	£20		£20	£20			£0	The £20k is not enough and they will do a bid for a larger amount, figure not known as of yet
Safer Streets	£0	£120	(£81)	£39			£39	£39	£0	£39	£0			£0			£0	This is due to Timing and staffing issues
Corporate and Customer Services																		
ICT Infrastructure	£50	£50		£100			£100	£50	£50	£100	£0	£50		£50	£50	£50	£50	Delayed as dependant on Lancashire County Council Negotiations
ICT Development Programme	£200	£223		£423			£423	£212	£212	£423	£0	£200		£200	£200	£200	£200	Delayed as dependant on Lancashire County Council Negotiations
Website	£0	£20		£20			£20	£10	£10	£20	£0			£0			£0	
CRM System	£0	£67		£67			£67	£34	£34	£67	£0			£0			£0	Delayed as dependant on Lancashire County Council Negotiations
Right Kit Right Role Right Refresh - support agile working	£0	£128		£128	£1	£6	£121	£61	£60	£128	£0			£0			£0	Delayed as dependant on Lancashire County Council Negotiations
Microsoft Enterprise Site Licence	£35	£35		£70		£4	£66		£0	£4	£66		£66	£66			£0	
Corporate wifi upgrade	£0	£85		£85			£85	£43	£43	£85	£0			£0			£0	Delayed as dependant on Lancashire County Council Negotiations
Website development	£170	£0		£170			£170	£8	£8	£16	£154	£30		£184			£0	
Communication devices	£0	£40		£40			£40	£20	£20	£40	£0			£0			£0	
Invest to Save Digital Services	£0	£59		£59			£59	£30	£30	£59	£0			£0			£0	

APPENDIX A: 2022/23 GRA CAPITAL PROGRAMME

	2022/23											2023/24				2024/25		Notes
	Approved Budget Feb 2022	Re-profiling from 2021/22 July 2022	In-Year Approvals Dec 2022	Total Budget	Q1 Actual Spend	Q2 Actual Spend	Remaining Budget	Q3 Forecast Spend	Q4 Forecast Spend	Forecast Spend	Potential Slippage	Approved Budget Feb 2022	In-Year Approvals Dec 2022	Slippage from 2022/23	Total Budget	Recurring and Continuation of Schemes	Total Budget	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Digital Transformation - Implementation of IT Strategy	£0	£384		£384	£9	£3	£372	£186	£186	£384	£0				£0		£0	Delayed as dependant on Lancashire County Council Negotiations
Less HRA funding for Strategy	£0	(£200)		(£200)			(£200)	(£100)	(£100)	(£200)	£0				£0		£0	
IDOX ERDM System	£20	£23		£43	£3		£40	£38		£41	£2	£20			£20		£0	
Civica Financials	£140	£23		£163			£163	£163		£163	£0				£0		£0	
Hybrid, Remote and Streaming Council Meetings	£92	£0		£92			£92	£92		£92	£0				£0		£0	
Mastercard Gateway Upgrade	£40	£0		£40	£33		£7	£7		£40	£0				£0		£0	
Microsoft M365 Phase 3	£150	£0		£150		£150	£0			£150	£0	£100			£100		£0	
Digital innovation and the continued development of ServiceNow	£80	£0		£80			£80	£80		£80	£0				£0		£0	
Shop Front Improvement Fund	£50	£0		£50			£50	£50		£50	£0				£0		£0	
Digital Transformation	£0	£6		£6			£6	£6		£6	£0				£0		£0	Previously Funded by HRA
Planning/building control and land charges system upgrades				£0			£0			£0	£0		£20		£20		£0	
Total GRA Capital Programme Expenditure	£6,033	£9,262	£1,800	£17,095	£502	£2,859	£13,734	£3,840	£4,943	£12,143	£4,952	£870	£296	£4,948	£6,114	£444	£444	
FUNDING:																		
Capital Receipts	£2,033	£2,690	£32	£4,755	£56	£477	£4,221	£1,442	£1,243	£3,219	£1,536	£870	£20	£1,462	£2,352	£444	£444	
GRA Contributions	£0	£0		£0	£0	£0	£0	£0	£0	£0	£0	£0		£0	£0	£0	£0	
Prudential Borrowing	£0	£5,220		£5,220	£0	£1,408	£3,812	£1,906	£1,906	£5,220	(£0)	£0		£0	£0	£0	£0	
CIL/S106	£4,000	£749		£4,749	£112	£303	£4,334	£228	£1,136	£1,779	£2,970	£0	£276	£3,261	£3,537	£0	£0	
Other Grant Funding	£0	£603	£1,768	£2,371	£333	£670	£1,367	£264	£658	£1,925	£446	£0		£225	£225	£0	£0	
Total GRA Capital Programme Funding	£6,033	£9,262	£1,800	£17,095	£502	£2,859	£13,734	£3,840	£4,943	£12,143	£4,952	£870	£296	£4,948	£6,114	£444	£444	

16 **2022/23 GRA CAPITAL Q2 MONITORING**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services, as contained on pages 43 to 51 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, and sought approval of the re-profiling, virements and budget adjustments contained within Appendix A and the additions of £1.800m to the 2022/23 budget and £296k 2023/24 budget.

A question was raised in respect to 'Right to Buy' sales.

RESOLVED: That the report be considered, and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

48 **22/23 QUARTER 2 GRA CAPITAL MONITORING**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 479 to 488 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.

The Corporate Finance Manager outlined the report and responded to comments and questions raised by Members in respect of the following:

- Concerns in respect of the Moor Street Phase 2 overspend (some of which will be funded partly by HAZ (Heritage Asset Zone) and Lancashire County Council)
- Target for Council House Sales – Consideration of current economic climate
- Capital Programme Schemes – budget profile / delivery timescales

RESOLVED: That the Quarter 2 GRA Capital Monitoring report be noted.

41 **2022/23 QUARTER 2 GRA CAPITAL MONITORING**

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, 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.

The Minutes of the Budget/Council Plan and the Executive Overview & Scrutiny Committees had been circulated prior to the meeting.

In reaching the decision below, the Cabinet considered the report before it and the recommendations contained therein.

- RESOLVED: A. That the revised Capital Programme for 2022/23 of £12.147m, including the re-profiling, virements and budget adjustments contained within Appendix A, be noted and endorsed.
- B. That the 2022/23 budget additions of £1.800m to the 2022/23 budget and £296k 2023/24 budget, to existing schemes within the approved programme, contained in Appendix A for approval by Council in December 2022, be noted and endorsed.
- C. That the progress against the Revised Capital Programme at Quarter 2 be noted.



BUDGET/COUNCIL PLAN COMMITTEE:
1 November 2022

**EXECUTIVE OVERVIEW & SCRUTINY
COMMITTEE: 3 November 2022**

CABINET: 15 November 2022

COUNCIL: 14 December 2022

Report of: Head of Finance, Procurement and Commercial Services

Relevant Portfolio Holder: Councillor N. Pryce-Roberts

Contact for further information: Peter Quick (Extn. 5203)
(peter.quick@westlancs.gov.uk)

SUBJECT: HRA REVENUE AND CAPITAL MID YEAR (Q2) REVIEW

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To provide a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2022/23 financial year.

2.0 RECOMMENDATIONS TO BUDGET/COUNCIL PLAN COMMITTEE

2.1 That the report be considered and any comments submitted to the Housing Portfolio Holder in advance of the Council meeting on 14 December 2022.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

3.1 That the report be considered and any comments submitted to the Housing Portfolio Holder in advance of the Council meeting on 14 December 2022.

4.0 RECOMMENDATIONS TO CABINET

4.1 That the 2022/23 HRA and Housing capital programme positions be noted.

4.2 That the proposed budget adjustments identified in section 7 and paragraph 10.1 of the report be endorsed.

5.0 RECOMMENDATIONS TO COUNCIL

5.1 That the 2022/23 HRA and Housing capital programme positions be noted.

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

6.0 BACKGROUND

- 6.1 In February 2022, Council agreed the HRA revenue and capital budgets for the 2022/23 financial year, in the context of energy and other cost pressures along with materials shortages, reported through 2021/22. Subsequently, the emerging cost of living crisis worsened. This was further exacerbated when Russia invaded Ukraine.
- 6.2 Q1 HRA budget monitoring reflected the position at that time in the changing financial and economic landscape. CPI is expected to remain close to 10% for some months.
- 6.3 The new Government has launched a consultation on their imposing a cap to rent increases for either one or two years. Members will be invited to comment on the consultation. Any cap will have a significant impact on the HRA bottom line in both the short and long term. The current rent policy allows annual increases of up to cpi + 1% until 2025/26. The cpi + 1% increase is applied to the cpi rate from the September before, so for 2023/24 rent setting it would be based on September 2022 cpi.
- 6.4 Government guidance is awaited as to the rent increase policy after 2025/26, in the interests of prudence the HRA business plan assumes annual increases thereafter will be cpi only.

7.0 HRA Budget Virements

- 7.1 Q1 monitoring advised Members of a proposed virement, identified at 2021/22 year end, to be made at 2022/23 mid year. £130k of budget relating to year end accounting for the HRA share of contributions to the Lancashire pension fund is not required. This is because the budget is a continuation of the previous contribution level, whereas the actual charge reduced at the time of the last three year actuarial settlement. The proposal is to move the budget to HRA budget contingency.
- 7.2 In addition, at Q1 monitoring Members were advised of a proposal to increase the weekly heating charge to all residents in the district heating account by £6.25pw, from 1 October 2022, (mid year). This is estimated to increase the heating charge income in year by around £110k and partly offset the anticipated shortfall reported at Q1 due to the energy cost crisis. Members are asked to approve a budget virement of £110k within the district heating account, between gas charge income and gas costs. This will reduce the variance between expected gas costs and the gas expenditure budget.
- 7.3 The table below summarises proposed budget virements

Budget Area	2022/23 Budget £000's	Vire £000	2022/23 Revised £000's	Comments
Employee Expenses	4,059	-130	3,929	-£130k pension fund budget to budget contingency
Void repairs and response repairs	4,504		4,504	
Other premises costs	3,592	110	3,702	Increase budget for funded gas heating costs
Transport costs	162		162	
Budget contingency	260	130	390	£130k from pension fund contributions budget
Supplies and Services	1,248		1,248	
Support Services and internal income (net)	2,594		2,594	
Loan interest & Contribution towards Repayment	3,419		3,419	
Contributions to capital	7,485		7,485	
Dwelling rents	-24,300		-24,300	
Other external income	-3,023	-110	-3,133	Additional heating charge income
Total	0	0	0	

8.0 HRA – 2022/23 Financial Position and Mid Year Projected Outturn

- 8.1 A summary of the projected HRA revenue outturn against the revised budget is set out in the table below. The HRA is expected to outturn broadly in line with budget, (£80k favourable at mid year against an expenditure budget of £27,433k). A similar forecast outturn position for 2021/22 was reported at mid-year, after mitigating action was taken in 2021/22, outturn improved.
- 8.2 The 2022/23 final outturn position is likely to be affected by actions taken in regard to paragraphs 8.3 to 8.7, below.

Budget Area	2022/23 Budget £000	Q1 Var. £000	Outturn Var. £000	Comment
Employee Expenses	3,929	-230	-100	Staff vacancies.
Void repairs and response repairs	4,504	0	250	One year contract variation
Other premises costs	3,702	550	0	£360k District Heating – see paras 7.4 to 7.7 below
Transport costs	162	0	0	
Budget contingency	390	-100	-80	Most contingency expected to be used.
Supplies and Services	1,248	-100	-50	Cumulative from various budgets, each modestly below budget.
Support Services and internal income (net)	2,594	0	0	
Loan interest & Contribution towards Repayment	3,419	0	0	
Contributions to capital	7,485	0	0	
Dwelling rents	-24,300	-100	-50	TVD stock increases of 37 during year. 75 rtb sales expected based on run rate.
Other external income	-3,133	-20	-50	Furnished lettings service. 75 rtb admin fee income.
Total	0	0	-80	

8.3 It was reported at Q1 that the **district heating account** would have a total shortfall of around £550k due to a significant increase in energy costs. Subsequent actions by WLBC have improved the likely outturn position as follows:

- Residents in the district heating scheme had their heating charge increased from mid year by £6.25 per charging week, an increase for the year of £150 each. This will generate around £110k of additional income to reduce the shortfall.
- In light of the ongoing pressures to the HRA, whilst minimising the financial strain for affected residents, the remainder of the heating reserve, around £80k, is likely also be used in year to reduce the shortfall. This will leave the reserve empty but will also reduce the outstanding debt owed by affected residents.
- After these actions and reflecting developments relating to the Government's proposals identified below, if there remains a shortfall it will be treated at year end as a debtor in the accounts since the heating reserve can't go into deficit. Individual residents will not be invoiced, but the amount owing will be factored into the calculation of the heating charges for 2023/24 and beyond.

- 8.4 In addition to WLBC actions, there are two Government proposals that are likely to support affected residents and/or the HRA shortfall. Clarification is being sought from Government, through relevant organisations, as to if and how the £400 per household energy grant will be administered for district heating schemes, (and whether it is applied to just electricity users); and the mechanism for applying a price cap to the commercial gas contract that WLBC hold, which is the basis for the costs to most district heating customers.
- 8.5 Due to the current uncertainty in how the two Government schemes will apply to DHS residents, they have not been assumed in the forecast shortfall of £360k, but as we will treat outstanding balances as a debtor at year end, the outturn in the accounts will be a zero net balance either way. If Government proposals reflect the nature of our DHS, the final shortfall could possibly be below £100k.
- 8.6 It was also reported at Q1 that cost pressures are likely to continue in regard to **response repairs and voids revenue works**, though no additional tangible budget pressure had been identified at that time.
- 8.7 An additional report to Council, elsewhere on the agenda, will provide an update on the outcome of ongoing negotiations with the repairs contractor. Year one and two disputes have been settled in full and can be funded without call on the 2022/23 repairs and voids revenue budgets, though some budget contingency may be required. Approval of proposals for a mechanism within the contract to allow for annual review of certain rates will be sought, to reflect the current unusual financial climate and changing circumstances over time. It is expected that these contractual amendments in 2022/23 will create between £200k and £250k of budget pressure that can be contained within the overall HRA bottom line, all other things being equal.
- 8.8 Budget pressure identified in paragraphs 8.3 to 8.7 are likely to be offset by the favourable variances below:
- There are a number of vacant posts pending recruitment and consequently a favourable variance is anticipated on employee costs.
 - Dwelling rents will be better than budget due to an additional 37 housing stock from TVDL being added to the HRA mid-year, partly offset by anticipated RTB sales being more than budgeted.
 - Cumulative savings across the HRA within supplies and services

9.0 HRA Business Plan Pressures

- 9.1 With September 2023 cpi expected to be exceptionally high Government have announced a consultation on their imposing a cap on HRA rent increases. Government's stated proposal is a 5% cap on rent increases in 2023/24, though they have also asked for comment on alternative caps of 3% or 7%, and the option of extending the cap over a second year.
- 9.2 If the cap is imposed it will support tenants during the cost of living crisis but the effect on the HRA business plan over the medium and long term will be significant. Officers are following the consultation and will prepare mitigating proposals as part of budget setting if necessary.

- 9.3 Once data has been collated from the stock condition survey, reported previously, in addition to updating the current capital investment programme, a programme of work will be created to retrofit existing stock to meet decarbonisation requirements. No robust figures have yet been provided but it is likely that these costs will be significant and will therefore have a further significant adverse effect on the HRA business plan.
- 9.4 The housing capital programme is also likely to incur additional expenditure required on compliance around fire risk assessments and smoke detection. Once figures are available, funding options will be considered and reported to Members through 2022/23.

10.0 CAPITAL INVESTMENT PROGRAMME

- 10.1 It is standard practice that at mid year all Housing capital budgets are reviewed in light of operational developments, and required budget amendments identified. The table below shows the current 2022/23 Housing Capital budget plus proposed amendments, to create the revised 2022/23 budget.

Scheme	Current Budget £000's	Reprofile £000's	Transfer £000's	Release £000's	2022/23 Revised £000's
External Works	1,396				1,396
Roofing	1,105	1,000			2,105
Windows & Doors	873				873
Heating	851				851
Walls	844	-784			60
Kitchens	740				740
Bathrooms	478				478
Communal Services	325				325
Electrics	329		-329		0
Fire Safety Works	177				177
Housing Capital Investment Plan	7,118	71	-329	0	7,005
Carbon Neutral Dwellings	1,169				1,169
Digmoor Regeneration	1,000				1,000
Salary costs & Professional Fees	600				600
Disabled Adaptations	502			-102	400
Environmental Programme	493	-218			275
Contingency	300				300
Change in Standard for Smoke Detection	300		329		629
Sheltered Housing Upgrades	280				280
Lifts	140				140
Solar PV Battery Storage	50				50
Purchase Service Charge Software	39				39
Abritas upgrade	36				36
Digital Schemes Sheltered	12				12
Other Housing Schemes	4,921	-218	329	-102	4,930
Capital Expenditure	12,039	-2	0	-102	11,935
TVDL Expenditure	9,651				9,651
Total Expenditure	21,690	-2	0	-102	21,586

Note: Reprofiting is from 2022/23 into 2023/24; except for roofing where £1.0m is being reprofiled equally from the previously approved six years from 2023/24 to 2028/29.

Funded by	2022/23 Budget £000's	Reprofile £000	Transfer £000	Release £000	2022/23 Revised £000
Revenue contributions/MRR	7,434				7,434
Borrowing	11,146	-2		-102	11,042
HE Grants	3,110				3,110
Capital receipts - 141					
Total Funding	21,690	-2	0	-102	21,586

10.2 The table below assumes that the budget adjustments in table 10.1, above are approved.

Scheme	2022/23 Revised Budget £000's	Q2 Actual £000's	% Spend to date
Roofing	2,105	875	42%
External Works	1,396	0	0%
Windows & Doors	873	0	0%
Heating	851	425	50%
Kitchens	740	0	0%
Bathrooms	478	14	3%
Communal Services	325	0	0%
Fire Safety Works	177	139	79%
Walls	60	0	0%
Electrics	0	0	100%
Housing Capital Investment Plan	7,005	1,453	21%
Carbon Neutral Dwellings	1,169	0	0%
Digmoor Regeneration	1,000	0	0%
Change in Standard for Smoke Detection	629	446	71%
Salary costs & Professional Fees	600	520	87%
Disabled Adaptations	400	96	24%
Contingency	300	0	0%
Sheltered Housing Upgrades	280	17	6%
Environmental Programme	275	2	1%
Lifts	140	0	0%
Solar PV Battery Storage	50	0	0%
Purchase Service Charge Software	39	0	0%
Abritas upgrade	36	36	100%
Digital Schemes Sheltered	12	0	0%
Other Housing Schemes	4,930	1,117	23%
Capital Expenditure	11,935	2,570	22%
TVDL Expenditure	9,651	999	10%

Total Expenditure	21,586	3,569	17%

Funded by	2022/23 Revised Budget £000's	Q2 Actual £000's	% Spend
Revenue contributions/MRR	7,434	2,570	35%
Borrowing	11,042	0	0%
HE Grants	3,110	2,471	32%
HE Grants deferred to future periods		-1,472	
Total Funding	21,586	3,569	17%

10.3 Total expenditure on the capital programme to date is £2.57m which represents 22% of the total revised budget. The Housing capital budget tends to profile with more expenditure later in the financial year. Typically, capital programme outturn is between 70% and 85% of revised budget and this is expected in 2022/23 too.

10.4 £2.471m of Homes England grants have been received in 2022/23 relating to Halton Castle, Northfield and Fairlie.

11.0 SUSTAINABILITY IMPLICATIONS

11.1 Careful monitoring the budget position helps ensure that the HRA remains able to deliver services and is financially sustainable in the medium term. This supports the aim that local people should receive good quality homes for a fair and appropriate rent

12.0 RISK ASSESSMENT

12.1 The formal reporting of performance on the Housing Revenue Account is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. This process is resource intensive for both Members and Officers but ensures that a robust and achievable budget is set

13.0 HEALTH AND WELLBEING IMPLICATIONS

13.1 The health and wellbeing implications arising from this report will be dependent on the budget proposals put forward at the Council meeting. Details of any significant implications will be provided at the Council meeting if required.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

1. Minute of the Budget/Council Plan Committee 1 November 2022
2. Minute of the Executive Overview & Scrutiny Committee 3 November 2022
3. Minute of Landlord Services Committee (Cabinet Working Group)
4. Minute of Cabinet 15 November 2022
5. Addendum (Cabinet & Council only)

17 **2022/23 HRA REVENUE & CAPITAL Q2 MONITORING**

Consideration was given to the report of the Head of Housing, Transformation & Commercial Services, as contained on pages 53 to 62 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2022/23 financial year and sought approval of the proposed budget adjustments identified in section 7 and paragraph 10.1 of the report.

RESOLVED: That the report be noted, and any comments submitted to the Housing Portfolio Holder in advance of the Council meeting on 14 December 2022.

49 **22/23 QUARTER 2 HRA REVENUE AND CAPITAL MONITORING**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 489 to 498 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) and Housing Capital Programme positions for the 2022/23 financial year.

The Principal Finance Business Partner outlined the report and the Property Services Manager responded to comments and questions raised by Members in respect of the following:

- Roofing Programme – possibility of incorporating solar panels into future stock
- Carbon neutral dwelling improvements – fabric first / technology
- Decarbonisation funding – Invest and improve stock / reduce carbon

RESOLVED:

- A. That, the report be noted, and the following comment be submitted to the Housing Portfolio Holder, in advance of the Council meeting on 14 December 2022.
 1. That the Carbon Neutral Dwellings Scheme be reviewed, with funding possibly reallocated to measures on existing stock that contribute towards overall carbon neutrality within the council.

5 **HRA REVENUE AND CAPITAL MID YEAR (Q2) REVIEW**

The Working Group considered a report from the Head of Finance, Procurement & Commercial Services, contained on pages 35-44 of the Book of Reports, seeking the Committees comments to be passed to Cabinet for consideration.

The Chairman invited the Group Accountant to present the report to the Committee.

There were no Comments or Questions raised.

Agreed: That the report be noted.

(N.B. This item was moved to the end of the Agenda)

42 **22/23 QUARTER 2 HRA REVENUE AND CAPITAL MONITORING**

The Leader and Councillor Pryce-Roberts introduced the report of the Head of Finance, Procurement & Commercial Services, which provided a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2022/23 financial year.

The Minutes of the Budget/Council Plan and the Executive Overview & Scrutiny Committees and the Landlord Services Committee (Cabinet Working Group), together with some additional information revising paragraphs 10.1 and 10.2 of the report, had been circulated prior to the meeting.

In reaching the decision below, the Cabinet considered the report before it and the recommendations contained therein, including the additional information circulated prior to the meeting.

- 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 the revised paragraph 10.1 of the report be endorsed.

22/23 Quarter 2 HRA Revenue and Capital Monitoring

Appendix – Additional Information

Since the HRA Q2 monitoring report was presented to Executive and Overview Committee, an additional capital virement has been identified. The virement will allow WLBC to take the opportunity of creating four carbon neutral/very low carbon homes as part of the existing works being completed by TVDL to create extra HRA housing stock.

The cost of additional carbon-neutral works is estimated to be £130k and can be funded by viring existing budgets intended at addressing the climate crisis. The proposal is to vire £50k from the PV battery storage budget and £80k from the carbon neutral homes budget. The amended tables in 10.1 and 10.2 of the report are shown below, the amendments relate purely to movements in budgets.

10.1 updated

Scheme	Current Budget £000's	Reprofile £000's	Transfer £000's	Release £000's	2022/23 Revised £000's
External Works	1,396				1,396
Roofing	1,105	1,000			2,105
Windows & Doors	873				873
Heating	851				851
Walls	844	-784			60
Kitchens	740				740
Bathrooms	478				478
Communal Services	325				325
Electrics	329		-329		0
Fire Safety Works	177				177
Housing Investment Plan Capital	7,118	216	-329	0	7,005
Carbon Neutral Dwellings	1,169		-80		1,089
Digmoor Regeneration	1,000				1,000
Salary costs & Professional Fees	600				600

Disabled Adaptations	502			-102	400
Environmental Programme	493	-218			275
Contingency	300				300
Change in Standard for Smoke Detection	300		329		629
Sheltered Housing Upgrades	280				280
Lifts	140				140
Solar PV Battery Storage	50		-50		0
Purchase Service Charge Software	39				39
Abritas upgrade	36				36
Digital Schemes Sheltered	12				12
Other Housing Schemes	4,921	-218	199	-102	4,800
Capital Expenditure	12,039	-2	0	-102	11,805
TVDL Expenditure	9,651		130		9,781
Total Expenditure	21,690	-2	0	-102	21,586

10.2 Updated

Scheme	2022/23 Revised Budget £000's	Q2 Actual £000's	% Spend to date
Roofing	2,105	875	42%
External Works	1,396	0	0%
Windows & Doors	873	0	0%
Heating	851	425	50%

Kitchens	740	0	0%
Bathrooms	478	14	3%
Communal Services	325	0	0%
Fire Safety Works	177	139	79%
Walls	60	0	0%
Electrics	0	0	100%
Housing Capital Investment Plan	7,005	1,453	21%
Carbon Neutral Dwellings	1,089	0	0%
Digmoor Regeneration	1,000	0	0%
Change in Standard for Smoke Detection	629	446	71%
Salary costs & Professional Fees	600	520	87%
Disabled Adaptations	400	96	24%
Contingency	300	0	0%
Sheltered Housing Upgrades	280	17	6%
Environmental Programme	275	2	1%
Lifts	140	0	0%
Purchase Service Charge Software	39	0	0%
Abritas upgrade	36	36	100%
Digital Schemes Sheltered	12	0	0%
Other Housing Schemes	4,800	1,117	23%
Capital Expenditure	11,805	2,570	22%
TVDL Expenditure	9,781	999	10%
Total Expenditure	21,586	3,569	17%



**BUDGET/COUNCIL PLAN
COMMITTEE: 1 November 2022**

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
3 November 2022**

CABINET: 15 November 2022

COUNCIL: 14 December 2022

Report of: Head of Finance, Procurement and Commercial Services

Relevant Portfolio Holder: Adam Yates

Relevant Corporate Director: Transformation and Resources

**Contact for further information: Mr J Smith (Extn.5093)
(E-mail: Jonas.Smith@westlancs.gov.uk)**

**SUBJECT: TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS Q2
MONITORING 2022-23**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To set out details of Treasury Management operations for the first half of 2022/23 and to report on the Prudential Indicators, where available.

2.0 RECOMMENDATIONS TO BUDGET/COUNCIL PLAN COMMITTEE

2.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

3.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

4.0 RECOMMENDATIONS TO CABINET

4.1 To note the Treasury Management activity and Prudential Indicator performance for the first quarter of 2022/23.

4.2 To note and endorse the changes to the Prudential Indicators highlighted in section 7 for approval by Council in December 2022.

5.0 RECOMMENDATIONS TO COUNCIL

- 5.1 To note the Treasury Management activity and Prudential Indicator performance for the first quarter of 2022/23.
 - 5.2 To approve the changes to the Prudential Indicators highlighted in section 10.
-

6.0 BACKGROUND

- 6.1 The Council has adopted the CIPFA Treasury Management Code of Practice in Local Authorities. One condition of the Code is that a report must be made quarterly to the Council on the activities of the Treasury Management function including the exercise of Treasury Management powers delegated to the Head of Finance, Procurement and Commercial Services.
- 6.2 The CIPFA Prudential Code for Capital Finance sets out a range of prudential indicators to assess whether an authority's financial position is prudent, affordable and sustainable. It is best practice that performance on these indicators is reported to Members on a regular basis.

7.0 ECONOMICS UPDATE AND INTEREST RATE FORECAST

- 7.1 Gross Domestic Product was revised upwards in Q1 2022/23 to +0.2% q/q from -0.1%, which means the UK economy has avoided recession.
- 7.2 CPI inflation eased from 10.1% in July to 9.9% in August, though inflation has not peaked yet. The easing in August was mainly due to a decline in fuel prices. However, utility price inflation is expected to add 0.7% to CPI inflation in October when the Ofgem unit price cap increases to, typically, £2,500 per household. But, as the government has frozen utility prices at that level for two years, energy price inflation will fall sharply after October and have a big downward influence on CPI inflation.
- 7.3 Nonetheless, the rise in services CPI inflation from 5.7% y/y in July to a 30-year high of 5.9% y/y in August suggests that domestic price pressures are showing little sign of abating. A lot of that is being driven by the tight labour market and strong wage growth. CPI inflation is expected to peak close to 10.4% in November and, with the supply of workers set to remain unusually low, the tight labour market will keep underlying inflationary pressures strong until early next year
- 7.4 The MPC has now increased interest rates seven times in as many meetings in 2022 and has raised rates to their highest level since the Global Financial Crisis. Even so, coming after the Fed and ECB raised rates by 75 basis points (bps) in their most recent meetings, the Bank of England's latest 50 basis points hike looks relatively dovish. However, the UK's status as a large importer of commodities, which have jumped in price, means that households in the UK are now facing a much larger squeeze on their real incomes.
- 7.5 Since the fiscal event on 23rd September, our advisors Link now expect the Monetary Policy Committee (MPC) to increase interest rates further and faster,

from 2.25% currently to a peak of 5.00% in February 2023. The combination of the government's fiscal loosening, the tight labour market and sticky inflation expectations means we expect the MPC to raise interest rates by 100bps at the policy meetings in November (to 3.25%) and 75 basis points in December (to 4%) followed by further 50 basis point hikes in February and March (to 5.00%). Market expectations for what the MPC will do are volatile. If Bank Rate climbs to these levels the housing market looks very vulnerable, which is one reason why the peak in Link's forecast is lower than the peak of 5.50% - 5.75% priced into the financial markets at present.

Link Group Interest Rate View	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
BANK RATE	4.00	5.00	5.00	5.00	4.50	4.00	3.75	3.25	3.00	2.75	2.75	2.50

7.6 The increase in PWLB rates reflects a broad sell-off in sovereign bonds internationally but more so the disaffection investors have with the position of the UK public finances after September's "fiscal event". To that end, the MPC has tightened short-term interest rates with a view to trying to slow the economy sufficiently to keep the secondary effects of inflation – as measured by wage rises – under control, but its job is that much harder now.

7.7 Link's PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
5yr PWLB	5.00	4.90	4.70	4.50	4.20	3.90	3.70	3.50	3.40	3.30	3.20	3.20
10yr PWLB	4.90	4.70	4.60	4.30	4.10	3.80	3.60	3.50	3.40	3.30	3.20	3.20
25yr PWLB	5.10	5.10	4.80	4.50	4.30	4.10	3.90	3.70	3.60	3.60	3.50	3.40
50yr PWLB	4.80	4.60	4.50	4.20	4.00	3.80	3.60	3.40	3.30	3.30	3.20	3.10

8.0 INVESTMENTS

8.1 The Treasury Management Strategy Statement (TMSS) for 2022/23, which includes the Annual Investment Strategy, was approved by the Council on 23rd February 2022. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep investments short-term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions.

8.2 As a result of the SORP review, there were several changes to the criteria used for deciding upon counterparties for investment purposes as set out below.

Type of Counterparty	Maximum loan by Council	Maximum Period
Major British Based Banks and Subsidiaries with at least A- credit rating.	£5m	Up to £5m 364 days Up to £3m 3 years
British Based Building Societies. – Only those with at least A- credit rating as advised by Link.	£5m	Up to £5m 364 days Up to £3m 3 years
Other Local Authorities, where agreed.	£5m	Up to 5 years
Property Funds, Corporate Bonds, Infrastructure Investments	£3m	Up to 3 years for Corporate, and 5 years for Property and Infrastructure
Money Market Funds AAA rated	£3m	N/A Callable deposits

8.3 The following table provides details on investment activity during the first six months of this year and last year.

INVESTMENT PORTFOLIO	31.3.22 Actual £000	31.3.22 Actual %	30.9.22 Actual £000	30.9.22 Actual %
Treasury investments				
Banks	11,500	41%	8,000	46%
Building Societies - rated	11,500	41%	6,500	38%
Building Societies – unrated		0%		0%
Local authorities	5,000	18%	2,750	16%
DMADF (H M Treasury)	-	0%	-	0%
Total managed in house	28,000	100%	17,250	100%
Bond funds				
Property funds				
Cash fund managers				
Total managed externally	0	0%	0	0%
TOTAL TREASURY INVESTMENTS	28,000	100%	17,250	100%

Non Treasury investments				
Third party loans				
Subsidiaries	1,575	100%	1,575	100%
Companies				
Property				
TOTAL NON TREASURY INVESTMENTS	1,575	100%	1,575	100%

Treasury investments	28,000	95%	17,250	92%
Non Treasury investments	1,575	5%	1,575	8%
TOTAL OF ALL INVESTMENTS	29,575	100%	18,825	100%

The maturity structure of the investment portfolio was as follows:

	31.3.22 Actual £000	30.9.22 Actual £000
Investments		
Longer than 1 year		
Up to 1 year	29,575	18,825
Total	29,575	18,825

The gross interest earned was as follows:

	31.3.22 Actual £	30.9.22 Actual £
Gross interest earned	133,472	146,340

- 8.4 Following the SORP review in 2019, the Treasury Management investment return budget for 2020/21 was increased by £326k to £499.8k. This target was based upon the view that the Council would have £10m available for short-term investments i.e., Banks/Building Societies up to 12 months and £10m available to invest in longer term, higher return vehicles i.e., Property/Investment/Infrastructure Funds and increasing rates of return on investments.
- 8.5 The 2022/23 budget was increased by a further £100k to £599.8k in February 2022 due to the forecast rise of interest rates and increase of investment returns.
- 8.6 It should be noted that although the Council had £18.825m out on investment at the end of September as per the table in 5.3 the total included several items of one-off funding from central government to support households and businesses during the pandemic and current cost of living crisis. Specifically, Covid-19 Additional Relief Fund £2.2m and S31 Relief funding of £4m. Consequently, true Council cash balances were around £12.4m and therefore the £10m earmarked to invest in the longer term was not available.
- 8.7 As part of the ongoing work to achieve best value in Treasury Management, we continually monitor our performance against a benchmark figure of the average 3-month SONIA interest rate. The average rate of interest earned at the end of September 2022 was 1.589% which was slightly below the benchmark average of 1.6523%.
- 8.8 The reduction in balances as set out in 5.6 means the Council will not achieve the investment income as anticipated under the SORP review. It is projected that the overall shortfall will be £244k, of which it is estimated that £170k is attributable to the GRA and £74k to the HRA.

9.0 BORROWING

- 9.1 No long-term borrowing was undertaken during the first half of 2022/23, however, given the true balances held for investment by the Council as set out in 5.6 and the ongoing large scale capital investment it is likely that there will be a need to borrow during 2022/23. Following advice from Link, the Council will look to borrow in the short-term if required to the point where long-term PLWB rates are expected to fall i.e. during the first quarter of 2023/24.
- 9.2 The Treasury Management function has managed cash flows in such a way as to avoid incurring borrowing costs despite the Council's GRA capital financing requirement (CFR), i.e. its underlying need to borrow to finance capital expenditure, being £23.3m at the end of 2021/22 as per the table in 7.3 below. Based on current 50-year PWLB rates 4.85% this will cost the Council £1.13m in interest per annum.
- 9.3 In April 2020 a future service pension prepayment of £7.15m was made to the Lancashire Pension Fund which realised a revenue saving to the Council of £150k for each of the subsequent three years.

- 9.4 HM Treasury issued new guidance in November 2020 in relation to borrowing from the PWLB. It outlined permissible categories of local authority capital expenditure (service delivery, housing, regeneration, preventative action and treasury management). Any investment asset bought primarily for yield which was acquired after 26 November 2020 would result in the authority not being able to access the PWLB in that financial year or being able to use the PWLB to refinance this transaction at any point in the future.
- 9.5 The change in PWLB lending criteria is likely to impact the Commercial Property Strategy agreed at Council in July 2020 as part of the SORP process. It was agreed to invest up to £30m over three years for the purchase/construction of commercial properties. If the purchase is primarily for yield rather than for say regeneration, then PWLB borrowing to finance the Council capital programme would not be available.

10.0 PRUDENTIAL AND TREASURY INDICATORS

- 10.1 It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the quarter ended 30th September 2022, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2022/23. The Head of Finance, Procurement and Commercial Services reports that no difficulties are envisaged for the current or future years in complying with these indicators.
- 10.2 All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.
- 10.3 The prudential and treasury indicators are shown below. It should be noted that a reconciliation of the Council's CFR position was carried out after the February 2022 Council meeting and the agreed slippage from the July 2022 capital outturn report have been incorporated into the revised budget for 2022/23 resulting in a change to the budgeted GRA and HRA figures although the overall CFR remained unchanged.

Treasury Indicators	31.03.22 Actual £'000	2022/23 Original Budget £'000	2022/23 Revised Budget £'000	2022/23 Forecast Outturn £'000
Authorised limit for external debt	88,212	153,571	153,571	153,571
Operational boundary for external debt	88,212	143,071	143,071	143,071
Gross external debt	88,212	88,212	88,212	88,212

Prudential Indicators	31.03.22 Actual £'000	2022/23 Original Budget £'000	2022/23 Revised Budget £'000	2022/23 Forecast Outturn £'000
Capital expenditure				
Non - HRA	8,961	11,156	12,115	12,111
HRA	16,441	14,431	21,586	18,348
Total	25,402	25,587	33,701	30,459
Capital Financing Requirement (CFR)				
Non - HRA	23,321	18,048	28,227	28,227
HRA	88,429	125,023	99,121	97,730
Total	111,750	143,071	127,348	125,957
Annual change in CFR				
Non - HRA	893	9,434	4,906	4,906
HRA	6,529	6,997	10,692	9,301
Total	7,422	16,431	15,598	14,207
In year borrowing requirement				
Non - HRA	1,200	10,000	5,220	5,220
HRA	6,879	6,997	11,042	9,651
Total	8,079	16,997	16,262	14,871
Ratio of financing costs to net revenue stream				
Non - HRA	1.19%	-1.08%	-0.78%	-0.45%
HRA	12.91%	10.88%	12.06%	12.26%
Ratio of income from commercial and service investments to net revenue stream				
Non - HRA	4.51%	7.85%	7.85%	7.85%
HRA	0.00%	0.00%	0.00%	0.00%

11.0 SUSTAINABILITY IMPLICATIONS

11.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

12.0 RISK ASSESSMENT

12.1 The formal reporting to Council of Prudential Indicators and Treasury Management performance is part of the overall framework set out in Codes of Practice to ensure that the risks associated with this area are effectively controlled. Given the Council's strict investment criteria the risk of loss of investment funds is low, the sums invested can be very large, so treasury management activities are included in the Council's Key Risk Register.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
2021	CIPFA Updated Prudential Code for Capital Finance in Local Authorities	Accountancy Office
2021	CIPFA Updated Treasury Management Code of Practice	Accountancy Office

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendices

1. Minute of the Budget/Council Plan Committee 1 November 2022
2. Minute of the Executive Overview & Scrutiny Committee 3 November 2022
3. Minute of Cabinet 15 November 2022

18 **TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS Q2 MONITORING 2022-23**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 63 to 72 of the Book of Reports, which set out details of Treasury Management operations for the first half of 2022/23, reported on the Prudential Indicators, where available and sought approval of the changes to the Prudential Indicators highlighted in section 10.

Comments and questions were raised in respect of the following:

- the recent increase in interest rates
- borrowing requirements
- Reserves levels – ideally £5/6m mark and the impact from the pandemic, Brexit & the war in Ukraine on current levels
- Predictions around inflation levels
- Corporate Bonds option
- Council Tax payments – 12 month payment options

The Chairman gave an undertaking to consult with officers in respect of options going forward, including Corporate Bonds.

The Head of Finance, Procurement & Commercial Services gave an undertaking to feedback to the Committee on the option for offering residents the payment of Council Tax over a 12 month period.

RESOLVED: That the report be noted and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 14 December 2022.

50 **TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS Q2 MONITORING
- 2022-23**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services as contained on pages 499 to 508 of the Book of Reports, which set out details of Treasury Management operations for the first half of 2022/23 and to report on the Prudential Indicators, where available.

The Corporate Finance Manager outlined the report and responded to comments and questions raised by Members in respect of the following:

- Increase / forecast of interest rates
- Frequency of Quarterly Reports / the Council adhere to CIPFA Treasury Management Code of Practice in Local Authorities.

RESOLVED: That the Treasury Management and Prudential Indicators Q2 Monitoring 2022-23 report be noted.

43 **22/23 TM MID-YEAR PRUDENTIAL INDICATORS**

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, which detailed the Treasury Management operations for the first half of 2022/23 and reported on the Prudential Indicators, where available.

The Minutes of the Budget/Council Plan and the Executive Overview & Scrutiny Committees had been circulated prior to the meeting.

In reaching the decision below, the Cabinet considered the report before it and the recommendations contained therein.

- 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 7 for approval by Council in December 2022, be noted and endorsed.



COUNCIL: 14 December 2022

Report of: Corporate Director of Place & Community

Relevant Portfolio Holders: Councillor Anne Fennell / Councillor Nicola Pryce-Roberts

Contact for further information: Mr Lol Aitchison (Extension. 5188)
(E-mail: lol.aitchison@westlancs.gov.uk)

SUBJECT: THE BUILDING SAFETY ACT 2022

Wards affected: Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To inform Council of the introduction and implications of the Building Safety Act 2022, and to seek appropriate delegations are put in place.

2.0 RECOMMENDATIONS TO COUNCIL

2.1 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.

2.2 That the Corporate Director of Place and Community be given delegated authority to appoint officers where appropriate under the Building Safety Act 2022.

3.0 BACKGROUND

3.1 The Building Safety Act 2022 (the Act) received Royal Assent on 28 April 2022 and was published on 13 May 2022. The Act is a hugely significant piece of legislation which overhauls the way residential buildings are constructed and maintained in the UK [following the Grenfell Tower disaster in 2017] while protecting the rights of leaseholders.

- 3.2 The Act makes the most significant changes in the building regulatory regime since the introduction of the Building Act 1984 and will impact all levels of the construction industry imposing wide-ranging new duties designed to increase the accountability, transparency, and oversight of industry participants and the construction and development of higher-risk buildings.
- 3.3 The Act creates a new building control authority; the Building Safety Regulator (BSR), which has been established within the Health & Safety Executive. The BSR will have responsibilities for monitoring the safety of all buildings in England. The Regulator has wide-ranging powers to regulate standards for buildings and construction work, including powers to investigate and prosecute breaches. The newly created Chief Inspector of Buildings will have responsibility to head up this new regulator to:
- Deliver the new regime for high-risk buildings
 - Increase competence of professionals working on all buildings and ensure effective oversight of the building safety environment
- 3.4 For the first time, the entire Building Control profession will need to be registered with the BSR and their competence regularly assessed and validated. The Council's Building Control team will therefore face new operational standards, with sanctions from the regulator if they fail to meet them. The BSR will establish and maintain a register of all practicing Building Inspectors and Building Control Approvers (formerly Approved Inspectors). This new regime aims to ensure all building control professionals are competent to undertake their work profile so that oversight of building work is robust, proportionate, and sufficient to ensure compliance with regulatory requirements.

4.0 CURRENT POSITION

- 4.1 Section 91 of the Building Act 1984 places a duty on local authorities to bring the Act into execution and enforce the building regulations within their area. The Act, places additional duties on the Council in terms of providing support to the BSR where applicable, and in ensuring their staff are registered to undertake restricted activities.
- 4.2 At time of writing, secondary legislation is being prepared and the Council will need to be prepared for its introduction, which is likely to be in place by the latter part of 2023. Accordingly, this report is presented to Council to inform Members of the implications of the Act and to seek the initial delegations needed to administer its provisions. Future reports and/or updates will be submitted to Council as required.

5.0 ISSUES

Building Control Officer competence

- 5.1 The Act creates 'restricted activities' that will only be able to be undertaken by appropriately qualified and registered professionals. These include primarily plan appraisals, site inspections and the issuing of decision notices.

- 5.2 To perform a 'restricted function' (e.g., issuing a completion certificate) the Local Authority must obtain the advice of a suitably competent Registered Building Inspector. In practice this will mean that the Council's Building Control team will need to undertake and pass a full day validation examination to become a Registered Building Inspector.
- 5.3 It is proposed there will be three levels of Registered Building Inspector:
- Band A - (Domestic)
Where the surveyor can work on: Dwelling houses (excluding flats) of traditional construction up to 3-storeys high and not having more than one basement storey.
 - Band B - (General)
Where the surveyor can work on: Premises of any type and form of construction, where the guidance contained in the Approved Documents can be applied and being within certain size restrictions.
 - Band C - (Specialist)
Where the surveyor can work on: Premises of any type, height, size, form of construction and method of design – including any premises that will be within the scope of the Building Safety Regulator.
- 5.4 Accordingly, the Council's Building Control team will seek individual validation at Band B. Efforts are already underway to support staff to ensure the team achieve this standard prior to the legislation coming into force.

High Risk Buildings

- 5.5 The Act also introduces the concept of a 'high-risk building', which will be subject to greater regulation. Such buildings are defined as residential buildings of two or more units that are at least 7 storeys or 18 metres tall (whichever is reached first) and including hospitals and care homes meeting those height requirements for their design and construction stages. The scope of buildings considered 'high-risk' is likely to be extended.
- 5.6 All occupied high-risk buildings must be registered with the BSR by October 2023, and it is a criminal offence if a building is occupied but not registered after this date. The Council currently has one high risk building within its boundaries that falls under the scope of the Act, this is Ainscough Mill in Burscough, which falls within scope due to the tower, although the tower section of the building is unoccupied.
- 5.7 Any high-risk buildings will require the Council to provide resources to work within a multi-disciplinary team supporting the BSR. This means that the BSR may request resources from the Council's Building Control Team in relation to this or any other future 'high-risk' building within West Lancashire.
- 5.8 The Act also provides the framework for an additional approvals process in relation to "higher-risk buildings". Two additional "Gateways" are to apply to such

buildings in addition to approvals currently required at the planning application stage (referred to as “Gateway One”).

- Gateway Two will apply prior to commencement of building work and requires the Building Safety Regulator to be satisfied that designs and construction proposals satisfy the requirements of the Building Regulations and the Act. Variations instructed during the course of construction work may also need to be submitted for Gateway Two approval, albeit with a quicker turnaround time (4 weeks instead of 12 for an initial Gateway Two application).
- Gateway Three will apply when building work is complete and requires the Building Safety Regulator to be satisfied that the works as built comply with the Building Regulations and that the finished building is safe to occupy. Once Gateway Three has been passed, the Building Safety Regulator will issue a completion certificate. The Act makes it a criminal offence for a building to be occupied prior to this certificate being issued.

Council owned buildings

5.9 The Act also makes crucial changes to the way fire safety is regulated and does not just impact on the Council's Building Control Service. The Act will also change the way that the Council manages its buildings, which include buildings such as sheltered schemes.

5.10 The scope of actions for the Council include:

- Carry out assessments of building safety risks in and around the buildings
- Take all necessary steps to control and manage the risks, particularly those referring to fire spread and structural failure
- Register the building and apply for a building assessment certificate (when directed by the BSR – likely to be over a 5-year period for occupied buildings)
- Establish and operate a Mandatory Occurrence Reporting system
- Keep information about higher-risk buildings
- Produce a Residents Engagement Strategy

5.11 Whilst the Council does not own and operate high rise buildings, it is important to consider the other Regulations which have recently come into force which coincide with the Act and the obligations the Council has for ensuring building safety, specifically:

Fire Safety Act 2021 – addresses key gaps in the Regulatory Reform (Fire Safety) Order 2005 for multiple occupancy buildings regardless of height. The Act provides more stringent measures for building safety and ensuring fire risk assessments consider building structure, external walls, and fire separation between common areas/communal doors/flat entrances.

Fire Safety Regulations 2022 – implements the recommendations to come out of the Grenfell Tower enquiry and will come into force 23rd January 2023. The Regulations set out the requirements for high rise residential buildings in respect

of building plans, external wall systems, lifts, fire fighting equipment, information boxes, way signage, fire door checks and fire safety instructions.

Social Housing Regulations Bill – refers to the changes contained in the White Paper, such as: the greater accountability to residents, building and resident safety, a strengthened ombudsman and social housing regulator, and new proactive regulations which explicitly include guidance on how social housing providers should be engaging with residents on safety issues.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 There are no significant financial or resource implications arising from this report. However, the Act sets in place new requirements for staff registration, training and competence. This is in addition to any resultant compliance matters for the Council's own building assets. A further report will be presented to Council should any implications for resources arise from the Act as it comes into force.

8.0 RISK ASSESSMENT

Building Control service risks

8.1 The introduction of the Act will have significant impacts for the Council's Building Control service and the wider Council. Building Control is a front-line service undertaking a range of statutory and non-statutory functions. It is unique in that, despite being a regulatory service, it is in direct competition with private sector providers to undertake specific chargeable functions. In addition to the chargeable functions, the Building Control team undertakes a range of statutory non-fee earning works including formal enforcement (including dealing with contravening works reverted from AI's), demolitions, and attending dangerous structures. It is therefore paramount that the Council maintains this in-house expertise and with sufficient resources within the Building Control team to administer the Act to avoid any operational, legal and reputational risks.

Compliance risks

8.2 Recent tragedies, in particular the Grenfell Tower fire on 14 June 2017, has shone a spotlight on the UK regulatory system for building control. Not all local authorities (like West Lancashire Borough Council) have high rise residential buildings, however no member of the public should be exposed to foreseeable compliance risk and subsequent potential risk to life.

8.3 Residents and businesses alike want to be assured that those with responsibility for oversight of their building works, which are often the biggest financial outlay

they ever make, are competent to do so and that once works are complete and signed off they can feel confident that works are compliant and safe.

- 8.4 Residents and businesses also rely on the Council to react to incidents, providing time critical technical advice and support in often the most extreme circumstances and the local authority must ensure they have people competent to fulfil their statutory function when called into action.

The Council must be aware of the risks associated with non-compliance and the importance of ensuring the building control service is “fit for purpose.” It must also be aware of the competitive environment the building control team operates in and the pressure this places on the recruitment and retention of staff who fulfil such an important public service role.

- 8.5 It is therefore essential that the Council have the expertise to plan, implement and manage the risks associated with the Act and Regulations regarding building and fire safety. Currently there is not a dedicated resource within the Housing Service team to implement the actions received from the fire risk assessments, or the in-house competency to both educate the public and residents residing in Council managed buildings or engage directly with the Regulator for Social Housing on building safety matters.

9.0 HEALTH AND WELLBEING IMPLICATIONS

- 9.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Appendices

1. Equality Impact Assessment

Appendix 1

Equality Impact Assessment Form



Directorate: Planning and Regulatory Services		Service: Building Control
Completed by: Iol Aitchison		Date: 29/09/22
Subject Title: THE BUILDING SAFETY ACT 2022		
1. DESCRIPTION		
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No	
Is a commissioning plan or contract specification being developed:	No	
Is a budget being set or funding allocated:	No	
Is a programme or project being planned:	No	
Are recommendations being presented to senior managers and/or Councillors:	Yes	
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No	
Details of the matter under consideration:		
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>		
2. RELEVANCE		
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes	<i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	Council owned buildings will also need to comply with the requirements of the Act	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>		
3. EVIDENCE COLLECTION		
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	The Council's Building Control team. All relevant building operators, including the Council's own buildings	
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	Legislation is applicable to all who operate relevant buildings	

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	All relevant building operators, including the Council's own buildings
What will the impact of the work being carried out be on usage/the stakeholders?	New legislative requirements for building operators, the Council and the Council's building control team.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Proposals enact legislation that has been subject to appropriate scrutiny.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Proposals enact legislation that has been subject to appropriate scrutiny.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions <i>If no actions are planned state no actions</i>

7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	N/A as the proposal enacts new legislation.



COUNCIL: 14 December 2022

Report of: Director of Place and Community

Relevant Portfolio Holder: Councillor J. Wilkie

Contact for further information: Kathryn Sephton
(E-mail: Kathryn.sephton@westlancs.gov.uk)

SUBJECT: PUBLIC SPACE PROTECTION ORDER RENEWAL 2023- 2026

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To seek 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.

2.0 RECOMMENDATIONS TO COUNCIL

2.1 That the proposed amendments to the Public Space Protection Order are approved for public consultation.

2.2 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.

3.0 BACKGROUND

3.1 On the 1st April 2017, WLBC created a Public Space Protection Order (PSPO) under the Anti-social Behaviour, Crime and Policing Act 2014 (Appendix 1). Further details can be found via <https://www.westlancs.gov.uk/environment/dogs/dog-control.aspx>.

The order details restrictions that are in place relating to:

- dog fouling,
- dogs' exclusion areas
- areas where dogs should be on a lead, and
- the number of dogs that can be walked by one person.

3.2 There are currently 69 enclosed play areas where dogs are excluded and 5 areas where dogs are required to be kept on leads. The order consolidated numerous pieces of old legislation and has been successful in minimising dog related issues in the areas concerned.

3.3 All PSPO's are valid for a period of 3 years unless they are extended before the expiry date. A local authority can extend the lifetime of the Order for a maximum further period of 3 years if satisfied on reasonable grounds that doing so is necessary to prevent an occurrence or reoccurrence of the activities or an increase in frequency or seriousness of those activities. An Order can be extended for up to a further 3 years and there are publication requirements as set down by the Secretary of State. The original order was extended on the 17th July 2020 and expires 31st March 2023.

3.4 In addition, a local authority has the power to amend an Order if it satisfies two conditions.

Condition 1: It believes:

- a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
- b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect

Condition 2 is that the effect, or likely effect, of the activities:

- a) is, or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activities unreasonable, and
- c) justifies the restrictions imposed by the notice.

3.5 As the lifetime of the current Order requires renewing to cover the existing play areas, there has also been two new additional play areas created in the Borough during the lifetime of the Order Council is asked to approve the proposed public consultation exercise which relates to the suggested renewal and amendment of the existing Public Space Protection Order (PSPO).

4.0 PROPOSAL

4.1 Since the introduction of the current Order, a further two new play areas have been created in the Borough. It is proposed that they are added to the current Order to show continuity across the Borough.

4.2 It is noted that there are no further amendments intended to the current existing locations. It is simply proposed that the existing PSPO be amended to include the following new restrictions and locations:-

- Tawd Valley – Queen Elizabeth II Diamond Jubilee Park – dogs to be kept on leads around the play equipment as indicated in the map and dogs to be excluded from the gated Children's Play Area.
- Thompson Avenue Children's Play Park – dogs to be excluded.

- 4.3** It is worth noting that where restrictions are proposed relating to keeping dogs on a lead, alternative areas must be available nearby to allow dogs to be exercised off a lead. Officers are satisfied that this is the case.
- 4.4** The Council is required to consult on the additional new proposed restrictions (i.e. Appendices 2 and 3). The requirement is that as well as consulting the community, Parish Councils, the Police and Crime Commissioner are consulted, as the Police potentially have a role in enforcing the Order. The Council's website will contain an on-line questionnaire in relation to the proposals which will allow respondents to support or object the proposals and add any comments they have. The consultation is set to be undertaken for around 6 weeks, commencing on Monday 19th December and closing on Monday 30th January and will be promoted via local press, the Council's website and using social media. Officers will also reach out to local interest groups to ensure residents and those likely to use the areas are aware of the proposals and their ability to comment.
- 4.5** In addition to the statistical analysis, any comments received will be collated and brought before a meeting of Council in February 2023 for a final decision on whether the new restrictions are to be included within the PSPO.
- 4.6** Should the amendments to the Order be approved, signage will be installed at sites to notify the public of the PSPO requirements on site. If residents are found in contravention of the order, they may receive a Fixed Penalty Notice for £75.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1** There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1** The resource implications from this report can be met within existing resources.

7.0 RISK ASSESSMENT

- 7.1** Including the proposed restrictions on the new play areas will demonstrate consistency with previous work and assist in the reduction of anti-social behaviour.

8.0 HEALTH AND WELLBEING IMPLICATIONS

- 8.1** The health and wellbeing implications arising from this report will be dependent on the budget proposals put forward at the Council meeting. Details of any significant implications will be provided at the Council meeting if required.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local

Government Act 1972) to this Report.

Equality Impact Assessment

The decision to consult does have direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required and available in Appendix 5.

Appendices

Appendix 1 – Existing PSPO 2020

Appendix 2 – PSPO Dog Control Public Consultation Questionnaire

Appendix 3 – Tawd Valley – Queen Elizabeth II Diamond Jubilee Park map
Proposed new areas where dogs will be required to be kept on leads and be excluded from the play area.

Appendix 4 – Thompson Avenue Park map
Proposed new area where dogs will be excluded.

Appendix 5 – Equality Impact Assessment Form

Appendix 1 – Existing Public Space Protection Order 2020



WEST LANCASHIRE BOROUGH COUNCIL ANTISOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

PUBLIC SPACE PROTECTION ORDER - (WEST LANCASHIRE BOROUGH COUNCIL) 2020

West Lancashire Borough Council in exercise of its powers under S59 of the Anti- Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in S59 of the Act have been met hereby makes the following Order:

This Order comes into force on 1st April 2020 for a period of 3 years.

This Order supersedes the following:

- The Fouling of Land by Dogs (West Lancashire) Order 2008
- The Dogs Exclusion Order 2009
- The Dogs off Leads Order 2009
- The Dogs (Specified Maximum) Order 2009 The Dog on Leads by Direction Order 2009
- Public Space Protection Order 2017

The Order applies to the land specified in the attached Schedules and maps (where relevant) and should be read in conjunction with the same.

Section 1 - General Provisions

- 1.1 Where specified, in this Order, "the Council" means West Lancashire Borough Council.
- 1.2 A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog
- 1.3 In relation to Section 2 & 6 of this Order the offence does not apply to a person who:
 - 1.3.1 is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
 - 1.3.2 has a disability which affects his hearing, mobility, manual dexterity, physical co-ordination, or ability to lift, -carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
 - 1.3.3 each of the following is a "prescribed charity" for the purposes of this Order-
 - (i) Dogs for the Disabled (registered charity number 700454);

- (ii) Support Dogs (registered charity number 1088281);
- (iii) Canine Partners for Independence (registered charity number 803680)
- (iv) Hearing Dogs for Deaf People (registered charity number 293358)

1.4 An "authorised officer of the Council" means an employee of the Authority who is authorised in writing by the Council for the purposes of giving directions under this Order.

Section 2 - Dog Fouling

2.1 This Section applies to the land specified in Schedule 1

2.2 If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless -

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

2.3 For the purposes of this section -

- (a) placing of faeces in a receptacle on the land, which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (b) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

Section 3 - Specified Maximum Number of Dogs

3.1 This Section applies to the land specified in Schedule 1

3.2 A person will be guilty of an offence if, at any time, he takes onto any land in respect of which this Order applies more than six dogs per person, unless

- (a) he has reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

Section 4 - Dogs to Be Kept on Leads in Identified Areas

4.1 This Section applies to the land specified in Schedule 2

4.2 A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies he does not keep the dog on a lead, unless -

- (a) he has reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Section 5 - Dogs to Be Kept on Leads When Directed to Do So by An Authorised Officer

5.1 This Section applies to the land specified in Schedule 1

5.2 A person in charge of a dog shall be guilty of an offence if, at any time on any land to which this Order applies, he does not comply with a direction given to him by an Authorised Officer of the Council to put and keep the dog on a lead unless -

- (a) he has reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

5.3 an Authorised Officer of the Council may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog causes or is likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

Section 6 - Dogs to Be Excluded from Designated Areas

6.1 This Section applies to the land specified in 3

6.2 A person in charge of a dog shall be guilty of an offence if at any time he takes a dog onto, or permits a dog to enter or to remain on, any land to which this Order applies unless -

- (a) he has reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Section 7 - Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

Fixed Penalty Notices

In accordance with S68 of the Act an Authorised Officer may issue a fixed penalty notice (the Notice) of £75.00 to anyone he has reason to believe has committed an offence under this Order.



**WEST LANCASHIRE BOROUGH COUNCIL ANTISOCIAL BEHAVIOUR CRIME AND
POLICING ACT 2014**

**PUBLIC SPACE PROTECTION ORDER -
(WEST LANCASHIRE BOROUGH COUNCIL) 2020**

SCHEDULE 1

This Order applies to all land which is within the administrative area of the Borough of West Lancashire and which the public are entitled or permitted to have access with or without payment. The order will also apply to all Access Land within the Borough of West Lancashire within the meaning of S1(1) Countryside and Rights of Way Act 2000.

**WEST LANCASHIRE BOROUGH COUNCIL ANTISOCIAL BEHAVIOUR
CRIME AND POLICING ACT 2014**

**PUBLIC SPACE PROTECTION ORDER -
(WEST LANCASHIRE BOROUGH COUNCIL) 2020**

SCHEDULE 2

This Order applies to -

- (a) all carriageways in the West Lancashire Borough Council Area (either public or to which the public have access with or without payment) with a speed limit of 40 miles per hour or greater and the adjoining footways, cycle tracks and verges (either public or to which the public have access with or without payment); and
- (b) the areas outlined below and identified in the attached plans:
- Part of Beacon Country Park
 - Part of Coronation Park, Ormskirk
 - Coronation Park, Skelmersdale
 - St Helens Road Park, Ormskirk
 - Alder Lane playing fields, Parbold
 - Ormskirk Rugby Club, Ormskirk
 - Tarleton Cricket Club, Tarleton
 - Tarleton Rugby Club, Tarleton

WEST LANCASHIRE BOROUGH COUNCIL ANTISOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

**PUBLIC SPACE PROTECTION ORDER -
(WEST LANCASHIRE BOROUGH COUNCIL) 2020**

SCHEDULE 3

The areas outlined below and identified in the attached plans: Schedule of Borough Council "enclosed play areas"

at:

- Coronation Park, Park Road, Ormskirk, West Lancs
- Ennerdale Tanhouse Park, Skelmersdale, West Lancs
- Cascades, Ormskirk Road, Skelmersdale, West Lancs
- Bracknel Way, Aughton, Ormskirk, West Lancs
- Abrams Fold/Lancaster Gate, Banks, West Lancs
- Appley Playing Fields, Appley Lane South, Appley Bridge, West Lancs
- Banksbarn, Digmaor, Skelmersdale, West Lancs
- Abbeystead, Gillibrands Road, Little Digmaor, Skelmersdale, West Lancs
- Fairhaven, Skelmersdale, West Lancs
- Banks Leisure Centre, Greaves Hall Avenue, Banks, West Lancs
- Hawksclough, Skelmersdale, West Lancs
- Holland Moor, Digmaor, Skelmersdale, West Lancs
- Priors Close Vicarage Gardens, Burscough, West Lancs
- Rees Park, Burscough, West Lancs
- Richmond Park, Burscough, West Lancs
- School Lane, Westhead, Ormskirk, West Lancs
- Stanley, Coronation Park, Skelmersdale, West Lancs
- Firbeck, Skelmersdale Town Centre, Skelmersdale, West Lancs
- Trinity Walks, Tarleton, West Lancs
- Broadacre, Upholland, Skelmersdale, West Lancs
- Dewberry Fields, Upholland, Skelmersdale, West Lancs
- Moy Park, Scarisbrick, West Lancs
- Willows, Victoria Park, Skelmersdale, West Lancs
- Southport Road, Scarisbrick, West Lancs
- Poppyfields, Hesketh Bank, West Lancs
- Eavesdale/Edenhurst, Skelmersdale, West Lancs
- White Moss Road, Skelmersdale, West Lancs
- Westhead (School Lane)
- Coronation Park, Ormskirk
- Halsall Lane, Ormskirk
- Westend, Ormskirk

- Mawdesley Terrace, Ormskirk
- Pickles Drive, Burscough
- Rees Park, Burscough
- Richmond Park, Burscough
- Banksbarn, Digmaor
- Beacon Country Park, Up Holland
- Alderley, Little Digmaor
- Belvedere Way, Aughton
- Fairhaven, Birch Green
- Helmsdale, Birch Green
- Inglewhite, Birch Green
- Stanley Coronation Park, Old Skelmersdale
- Tanfields, New Church Farm
- Evington, Tanhouse
- Ennerdale, Tanhouse
- Abbeystead, Little Digmaor
- Daisy Way, Scarisbrick
- Greenhill, Old Skelmersdale
- Chequerlane
- Beacon Park
- Hilldale Playing Field
- Bickerstaffe Playing Field
- Evermore Hub, Digmaor

Schedule of Parish Council "enclosed play areas" at:

- Winifred Lane, Aughton, West Lancs
- Redsands, Aughton, West Lancs
- Holt Green, Aughton, West Lancs
- Mere Avenue, Burscough, West Lancs
- Engine Lane, Great Altcar, West Lancs
- Memorial Hall, Halsall Road, Halsall, West Lancs
- Shore Road, Hesketh with Beconsall, West Lancs
- Glen Park Drive, Hesketh with Beconsall, West Lancs
- Schwartzmans Drive, North Meals, West Lancs
- Village Hall, The Green, Parbold, West Lancs
- Burnside, Parbold, West Lancs
- Village Hall, Smithy Lane, Scarisbrick, West Lancs
- Carr Lane, Tarleton, West Lancs
- Mill Lane, Up Holland, West Lancs
- Lawns Ave, Up Holland, West Lancs
- Station Road, Hesketh Bank

The fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

When a Notice is issued, no proceedings will be taken in respect of the offence before the end of the period of 14 days following the date of the Notice. If the person issued with the Notice pays the amount due within the 14-day period, he may not be convicted of the offence.

Section 8-Appeal

If any interested person desires to question the validity of this Order on the grounds that the Council has no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he may apply to the High Court within six weeks from the date on which this Order is made.

Dated this 17 day of July 2020

The COMMON SEAL of WEST)
LANCASHIRE BOROUGH)
COUNCIL was hereunto affixed)
in the presence of:)



Authorised Officer

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Public Space Protection Order - Dog Control

West Lancashire Borough Council have a Public Space Protection Order which shows the places in the borough where dogs are banned from and also the areas where dogs must be kept on a lead.

The current order is due to expire and we are seeking the views from the public in order to extend the order for a further 3 years.

Thank you for taking the time to participate in this consultation.

Customer consent

To take part in this survey, we require your consent to collate and process your feedback. Please click on the [privacy notice](#) for more information.

Do you consent for the Council to collate and process your feedback?

(Choose any one option) (Required)

Yes

No

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Customer consent continued

Unfortunately you cannot continue with this survey unless you consent for the Council to collate and process your feedback.

Do you consent for the Council to collate and process your feedback?

(Choose any one option) (Required)

Yes

No

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Under the Public Space Protection Order, dogs, with the exception of guide dogs are banned from children's play areas.

You can view the list of areas on our [website](#)

Do you agree or disagree with the current areas?

(Choose any one option) (Required)

Agree

Disagree

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Which areas do you disagree with?

(Please select all that apply)

(Choose all that apply) (Required)

- Appley Bridge - Playing Fields, Appley Lane South
- Aughton - Belvedere Way
- Aughton - Holt Green
- Aughton - Redsands
- Aughton - Winifred Lane
- Banks - Abrams Fold/Lancaster Gate
- Banks - Leisure Centre, Greaves Hall Avenue
- Bickerstaffe - Playing Field
- Burscough - Mere Avenue
- Burscough - Pickles Drive
- Burscough - Priory Close/Vicarage Gardens
- Burscough - Rees Park
- Burscough - Richmond Park
- Great Altcar - Engine Lane
- Halsall - Memorial Hall
- Hesketh Bank - Poppyfields
- Hesketh with Becconsall - Glen Park Drive
- Hesketh with Becconsall - Shore Road
- Hilldale - Playing Fields
- North Meols - Schwartzmans Drive
- Ormskirk - Bracknel Way
- Ormskirk - Coronation Park
- Ormskirk - Coronation Park, Park Road
- Ormskirk - Halsall Lane
- Ormskirk - Mawdsley Terrace
- Ormskirk - Westnd
- Parbold - Burnside
- Parbold - Village Hall, The Green
- Scarisbrick - Daisy Way
- Scarisbrick - Moy Park
- Scarisbrick - Southport Road
- Scarisbrick - Village Hall, Smithy Lane
- Skelmersdale - Abbeystead, Gillibrands Road, Little Digmaor
- Skelmersdale - Abbeystead, Little Digmaor
- Skelmersdale - Alderley, Little Digmaor
- Skelmersdale - Banksbarn, Digmaor
- Skelmersdale, Cascades, Ormskirk Road
- Skelmersdale - Eavesdale/Edenhurst
- Skelmersdale - Ennerdale, Tanhouse
- Skelmersdale - Ennerdale Tanhouse Park
- Skelmersdale - Evington, Tanhouse
- Skelmersdale - Fairhaven
- Skelmersdale - Firbeck, Skelmersdale Town Centre
- Skelmersdale - Greenhill, Old Skelmersdale
- Skelmersdale - Howden

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

- Skelmersdale - Hawsciougn
- Skelmersdale - Helmsdale, Birch Green
- Skelmersdale - Holland Moor, Digmoor
- Skelmersdale - Inglewhite, Birch Green
- Skelmersdale - Tanfields, New Church Farm
- Skelmersdale - White Moss Road
- Skelmersdale - Willows, Victoria Park
- Tarleton - Carr Lane
- Tarleton - Trinity Walks
- Upholland - Beacon Country Park
- Upholland - Beacon Park Golf Club
- Upholland - Broadacre
- Upholland - Chequer Lane
- Upholland - Dewberry Fields
- Upholland - Lawns Avenue
- Upholland - Mill Lane
- Westhead - School Lane

Please tell us in the box below why you disagree

(Required)

Under the Public Space Protection Order, in certain areas dogs must be kept on a lead.

You can view the list of areas on our [website](#)

Do you agree or disagree with the current areas?

(Choose any one option) (Required)

- Agree
- Disagree

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Which areas do you disagree with?

(Please select all that apply)

(Choose all that apply) (Required)

- Alder Lane playing fields, Parbold
- Part of Beacon Country Park
- Part of Coronation Park, Ormskirk
- Ormskirk Rugby Club, Ormskirk
- Stanley Coronation Park, Skelmersdale
- St Helens Road Park, Ormskirk
- Part of Tarleton Cricket Club, Tarleton
- Tarleton Rugby Club, Tarleton
- Queen Elizabeth II Jubilee Park, Skelmersdale

Please tell us in the box below why you disagree

(Required)

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Under the Public Space Protection Order it is an offence for dogs to be off lead near all carriageways in the West Lancashire Borough Council area, where there is a speed limit of 40mph or greater and adjoining footways, cycle tracks and verges.

Do you agree or disagree with this rule?

(Choose any one option) (Required)

Agree

Disagree

Please tell us the reason for your answer in the box below

(Required)

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Queen Elizabeth II Diamond Jubilee children's park located at Tawd Valley Park in Skelmersdale is to be included on the Public Space Protection Order.

To view the enclosed area, click [here](#)

Do you agree or disagree dogs with the exception of guide dogs being banned form the children's park?

(Choose any one option) (Required)

Agree

Disagree

If you answered 'Disagree' please tell us why in the box below

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Areas around the Queen Elizabeth II Diamond Jubilee children's park have been designated for dogs on leads.

To view the designated area click [here](#)

Do you agree or disagree with dogs on leads being permitted in this area?

(Choose any one option) (Required)

- Agree
- Disagree

Please tell us the reason for your answer in the box below

(Required)

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Children's park located at Thompson Avenue in Ormskirk is to be included on the Public Space Protection Order.

To view the park area click [here](#)

Do you agree or disagree dogs with the exception of guide dogs being banned form the children's park?

(Choose any one option) (Required)

- Agree
- Disagree

If you answered 'Disagree' please tell us why in the box below

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Under the Public Space Protection Order it is an offence for a person in charge of a dog, to not clean up after the dog if it has fouled.

Do you agree or disagree with this rule?

(Choose any one option) (Required)

Agree

Disagree

Please tell us the reason for your answer in the box below

(Required)

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

Should we need to clarify any feedback with you and you are willing to do so, please provide a contact number below

Public Space Protection Order - Dog Control Consultation

Your Voice West Lancashire

End of survey - Customer consent denied

Unfortunately you cannot complete the survey as you have not provided your consent.

Appendix 3 – Tawd Valley – Queen Elizabeth II Diamond Jubilee Park Map

LOCATION	DESCRIPTION
Tawd Valley Park	Dogs are to be kept on leads within the perimeter of the park and excluded from within the Children's play area.



© Crown Copyright. All Rights Reserved. Licence No. 100024309. West Lancashire Borough Council. 2022.
Tawd Valley Park Perimeter

1:715

Appendix 4 - Thompson Avenue Park Map


LOCATION	DESCRIPTION
Thompson Avenue Park	Dogs are to be excluded from the enclosed Children's play area.



Thompson Avenue Play Area

	<p>Date: 26/11/2019</p>	<p>This map is reproduced from Ordnance Survey material with the Permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction may lead to prosecution or civil proceedings. Lancashire County Council - OS Licence 100023320 (C) Centre of map: 342495:408427</p>
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Appendix 5 – Equality Impact Assessment Form

<h1 style="color: red;">Equality Impact Assessment Form</h1> 	
Directorate: Environmental Services	Service: Environmental Enforcement
Completed by: David Jones	Date: 16/11/2022
Subject Title: Extension of Dog Control PSPO	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes <i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No
Details of the matter under consideration:	Renewal and extension of the PSPO relating to dog control
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Members of the public using parks/ play areas and open spaces to walk and

	exercise dogs.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	Dog walkers/ owners
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Dog walkers/ owners
What will the impact of the work being carried out be on usage/the stakeholders?	May result in further restrictions on where they may/ may not walk and exercise their dogs.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Some people may feel aggrieved by the restrictions as this can impact on where they can take their dogs.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Public consultation is to be carried out on this.
If any further data/consultation is needed and is to be gathered, please specify:	See above
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	There will not be any significant impact, also people with some of the protected characteristics will not be included in this as assistance dogs are not included in this legislation
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be	Educational work is undertaken by the

<p>taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).</p>	<p>enforcement team regarding dog control issues, this includes explaining the reasons for these restrictions.</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p>No actions</p>
<p>7. MONITORING AND REVIEWING</p>	
<p>When will this assessment be reviewed and who will review it?</p>	<p>Will be reviewed after the public consultation by Head of Environmental Services.</p>



Report of: Corporate Director of Transformation, Housing & Resources

Relevant Portfolio Holder: Councillor Y Gagen

Contact for further information: Mrs J Denning (Extn. 5384)
(E-mail: jacky.denning@westlancs.gov.uk)

SUBJECT: TIMETABLE OF MEETINGS 2023/24

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To approve the timetable of meetings for the Municipal Year 2023/24

2.0 RECOMMENDATION

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

3.0 BACKGROUND AND ISSUES

3.1 It is important to establish a timetable of meetings to enable the work of the Council, its Committees and the Cabinet to operate effectively and to enable Members and Officers to plan work commitments/deadlines.

3.2 The attached timetable has been based on the timetable for the current year, with some changes to reflect issues arising during the year.

3.3 The timetable attempts to ensure good links between Cabinet and Overview & Scrutiny Committee meetings and also to ensure that meetings are held at the most suitable time (such as in late February for setting budgets etc). The regular frequency of Planning Committee meetings is also important to enable the Council to determine planning applications in accordance with statutory and other deadlines. Audit & Governance Committee dates take into consideration requirements for the production and approval of the Council's Statement of Accounts. Other meetings are scheduled to give an appropriate number of meetings to enable the work of the Council to be conducted.

4.0 SUSTAINABILITY IMPLICATIONS

4.1 There are no significant sustainability impacts associated with this report and in particular, no significant impact of crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are no significant financial or resource implications arising from this report.

6.0 RISK ASSESSMENT

6.1 A timetable of scheduled meetings is important in enabling the Council to plan the conduct of its business, ensuring that decisions are made at the appropriate time to meet statutory requirements, such as setting the Council Tax.

6.2 Meetings included in the timetable are required under legislation to be held in person.

7.0 HEALTH AND WELLBEING IMPLICATIONS

7.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendix

Timetable of meetings 2023/24.

2023-24 COMMITTEE MEETINGS

	MAY 2023	JUN 2023	JUL 2023	AUG 2023	SEP 2023	OCT 2023	NOV 2023	DEC 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024
COUNCIL Council Chamber Wednesdays at 7.30pm	17 (ANNUAL)		19	-		18		13		28		17	15 (ANNUAL)
CABINET Cabinet & Committee Room Tuesdays at 7pm		27		R	26		21			6	26		
EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE Cabinet & Committee Room Thursdays at 7pm		15		E	14		9		25		14		
SPECIAL EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE (Call in Meeting only) Cabinet & Committee Room Thursdays at 7pm			13	-		12		7		22		11	
CORPORATE & ENVIROMENTAL OVERVIEW & SCRUTINY COMMITTEE Cabinet & Committee Room Thursdays at 7pm		8		C	21			14			7		
LICENSING & APPEALS COMMITTEE Council Chamber Tuesdays at 7pm		6	25	E		3		5		13		2	
AUDIT & GOVERNANCE COMMITTEE Cabinet & Committee Room Tuesdays at 7pm	30		26 (WED)	S		24			30				28
PLANNING COMMITTEE Council Chamber Thursdays at 7pm	25	22	27	S	7	5	23		18	15	21	25	23
STANDARDS COMMITTEE Cabinet & Committee Room Tuesdays at 7pm				-	19						5		
BUDGET/COUNCIL PLAN COMMITTEE Cabinet & Committee Room Tuesdays at 7pm	24 (WED)				12		7		23		12		29 (WED)

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1. Licensing & Gambling Committee meets 30 minutes earlier on the same day as Licensing & Appeals Committee (only if there is business to discuss).
2. Dates for all other meetings will be convened on an ad-hoc basis.
3. Public Holidays – 1st May, 8th May, 29th May, 28th August, 25th & 26th December 2023, 1st January 2024, 29th March 2024, 1st April 2024, 6th May 2024, 27th May 2024
4. Elections – 2 May 2024 (Borough)



COUNCIL: 14 December 2022

Report of: Corporate Director of Transformation, Housing & Resources

Relevant Portfolio Holder: Councillor Y Gagen

Contact for further information: Mrs J Denning (Extn. 5384)
(E-mail: jacky.denning@westlancs.gov.uk)

SUBJECT: EXECUTIVE DECISIONS – SPECIAL URGENCY

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise 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).

2.0 RECOMMENDATION

2.1 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.

3.0 ACCESS TO INFORMATION PROCEDURES

3.1 In accordance with Access to Information Procedures, Key Decisions undertaken by the Executive (Cabinet) must be included on the Forward Plan. If the matter has not been included on the Forward Plan, Procedure Rule 15 (General Exception) still allows the decision to be taken when the specified safeguards are met.

3.2 Access to Information Procedure Rule 16 (Special Urgency) states:

“If by virtue of the date by which a decision must be taken Rule 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual), the Leader (if the Cabinet is making the decision) or the Chairman of the body making the decision:

- (a) obtains the agreement of the Chairman of a relevant Overview and Scrutiny Committee; or

if there is no Chairman of the relevant Overview and Scrutiny Committee; or if the Chairman of each relevant Overview and Scrutiny Committee is unable to act, then the agreement of the Chairman of the Council (the Mayor), or in his/her absence the Vice Chairman (the Deputy Mayor), that the making of the decision is urgent and cannot reasonably be deferred; and

(b) makes available on the Council's website and at the Offices of the Council a notice setting out the reasons that the meeting/decision is urgent and cannot reasonably be deferred."

3.3 In accordance with the 'Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, any decisions taken under 'Special Urgency' must be reported to Council annually.

3.4 I can advise that Procedure Rule 16 (Special Urgency) was not exercised in the period 1 December 2021 to 30 November 2022.

4.0 SUSTAINABILITY IMPLICATIONS

4.1 There are no sustainability impacts associated with this report and no impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are no financial/resource implications arising from this report.

6.0 RISK ASSESSMENT

6.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this report.

7.0 HEALTH AND WELLBEING IMPLICATIONS

7.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders; therefore, no Equality Impact Assessment is required.

Appendices

None.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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