



Jacqui Sinnott-Lacey  
Chief Operating Officer

52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

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Tuesday, 14 February 2023

**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, 22 FEBRUARY 2023** at **7.30 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS', written over a faint circular stamp or watermark.

Jacqui Sinnott-Lacey  
Chief Operating Officer

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

**PAGE(S)**

1. **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.)

633 - 636

4. **MINUTES**  
To receive as a correct record, the minutes of the previous meeting held on Wednesday, 14 December 2022. 637 - 644
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) Licensing & Appeals Committee - Tuesday, 6 December 2022 645 - 648
- b) Budget / Council Plan Committee - Thursday, 15 December 2022 649 - 650
- c) Leisure Procurement Committee - Wednesday, 11 January 2023 651 - 654
- d) Planning Committee - Thursday, 19 January 2023 655 - 660
- e) Tawd Valley Developments Shareholders Committee - Wednesday, 25 January 2023 661 - 664
- f) Audit & Governance Committee - Tuesday, 31 January 2023 (To follow)
- g) Licensing & Gambling Committee - Tuesday, 7 February 2023 665 - 666
8. **PAY POLICY STATEMENT 2023/24**  
To consider the report of the Chief Operating Officer. 667 - 690
9. **MEMBERS' ALLOWANCES SCHEME 2023/24 AND APPOINTMENT OF THE INDEPENDENT REMUNERATION PANEL (IRP)**  
To consider the report of the Chief Operating Officer. 691 - 698
10. **SUSPENSION OF COUNCIL PROCEDURE RULE 13.4**  
To enable the Portfolio Holder / Shadow Portfolio Holder / Spokesperson for OWL to present their budget statement it will be necessary to suspend Council Procedure Rule 13.4 for Agenda Items 11 and 14. (This Rule limits the length of a speech to 5 minutes.)
- \* IN ACCORDANCE WITH THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) (AMENDMENT) REGULATIONS 2014, A RECORDED VOTE WILL BE TAKEN ON THESE ITEMS**
11. **\*GRA REVENUE & CAPITAL PROGRAMME BUDGET SETTING**  
To consider the report of the Head of Finance, Procurement & Commercial Services. 699 - 738

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| 12. | <b>*DETERMINATION OF COUNCIL TAX</b><br>To consider the report of the Head of Finance, Procurement & Commercial Services.   | (To follow) |
| 13. | <b>COUNCIL TAX REFORMS - SECOND HOMES AND EMPTY HOMES</b><br>To consider the report of the Corporate Director of Transformation, Housing & Resources.   | 739 - 754   |
| 14. | <b>HOUSING ACCOUNT - REVENUE AND CAPITAL BUDGET SETTING</b><br>To consider the report of the Head of Finance, Procurement & Commercial Services.  | 755 - 770   |
| 15. | <b>CAPITAL FINANCE AND TREASURY MANAGEMENT STRATEGY</b><br>To consider the report of the Head of Finance, Procurement & Commercial Services.  | 771 - 796   |
| 16. | <b>PUBLIC SPACE PROTECTION ORDER (DOG CONTROL PROVISIONS) RESULTS OF THE CONSULTATION</b><br>To consider the report of the Corporate Director of Place & Community.   | 797 - 824   |
| 17. | <b>EXCLUSION OF PRESS AND PUBLIC</b><br>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**

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| 18. | <b>TAWD VALLEY DEVELOPMENTS LTD - BUSINESS PLAN UPDATE</b><br>To consider the report of the Chief Operating Officer.  | 825 - 906 |
| 19. | <b>ACQUISITION AND DEVELOPMENT OF LAND IN SKELMERSDALE</b><br>To consider the report of the Corporate Director of Transformation, Housing & Resources.  | 907 - 918 |
| 20. | <b>OPTIONS FOR OPERATING AND MAINTAINING EXISTING LEISURE FACILITIES IN ORMSKIRK, SKELMERSDALE AND BURSCOUGH.</b><br>To consider the report of the Corporate Director of Place & Community.<br>(Relevant Portfolio Holder: Councillor C Coughlan) | 919 - 948 |

## **PART 3 (OPEN TO THE PUBLIC)**

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| 21. | <b>MOTIONS</b><br>To consider the following Motions included on the agenda at the request of the Members indicated: |  |
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**a) Exemption on Voter Identity Requirements - Motion Included on the Agenda by Councillor Adam Yates**

Council notes:

a) that the requirement for photographic voter identification prior to receiving a ballot paper for local and parliamentary elections, set out at Schedule 1, paragraph 18, sub-para 1(H) of the Elections Act 2022, as an amendment to Schedule 1 of the Representation of the People's Act 1983, comes into effect in May 2023;

b) that the range of documents deemed to be acceptable as a means of proof of identity under Schedule 1 of the Elections Act 2022 is limited, and may be considered to be discriminatory towards younger people;

c) that the procedure for and means of obtaining a Voter Authority Certificate, in cases where a voter does not possess accepted photographic evidence of identity of the type set out in the Elections Act 2022, were only formally made law in the Voter Identification Regulations 2022 (2022/1382) on December 22nd 2022, and that the online process for this only began in January 2023;

d) that the Department for Levelling Up & Communities acknowledged, two weeks into the availability of this online process, that only 10,000 applications for a Voter Authority Certificate had been made, with this being just 0.5% of the total number of people estimated to need such a certificate if they wish to vote under the new requirements from May 2023;

e) that by consequence of the legislation and arrangements set out at paras a) to d) above, there is a significant risk of excluding people from the electoral process who would otherwise have participated in it, in a way which may cause both disaffection with democracy overall and, on election days, hostility towards staff tasked with managing the election process;

Council further notes:

f) that such a local authority is entitled to submit a proposal to the Secretary of State for the according of such powers under the procedure set out at Section 5A of the Sustainable Communities Act 2007 (as amended in 2010), in cases where a local authority considers that new powers accorded to it would "contribute to promoting the sustainability of local communities" (Section 2 of the Act);

g) that the Sustainable Communities Act 2007:

i) specifically includes "social well-being" within its interpretation of the sustainability of local communities (Section 1, para 2), and that "social well-being includes participation in civic and political activity" (Section 1, para 3);

ii) that para 1(h) of the Schedule pertaining to Section 2 of the Act specifically refers to "the increase in social inclusion, including an increase in involvement in local democracy" as one of "the matters to which a local authority must have regard";

h) that in consequence of para g i) & ii) of this motion powers sought by a local authority that might enhance such activity may reasonably be considered as i) in accordance with the purpose of the overall Act, and therefore such that powers which might mitigate negative impacts of the provisions of the Elections Act 2022; ii) and associated secondary

legislation, should be regarded as a legitimate matter for a proposal under the Sustainable Communities Act 2007.

Council Resolves:

i) That Council, in accordance with and by consequences of paras a) to h) above, instructs the Chief Operating Officer to write to the Secretary of State for the Department of Levelling Up & Communities, setting out a proposal for a new power to be accorded to the local authority, under the process set out at Section 5A of that Act, which allows the Chief Operating Officer (in her role as Returning Officer) to make exempt from the provisions of the Elections Act 2022 and associated secondary legislation, all persons wishing to vote within West Lancashire who would otherwise be unable to do so if those provisions were applied.

j) That his power of exemption be sought for the May 2022 local elections and for any subsequent local or parliamentary election, until such time as either the regulations governing accepted voter identification documentation and Voter Authority Certificates are adjusted or removed, such that there is no risk of social well-being being (as interpreted in the sustainable community act 2007) being adversely affected by limitations to civic participation, or the number and percentage of people in receipt of Voter Authority Certificates is high enough to merit the cessation of the power of exemption;

k) That such a proposal be submitted to the Secretary of State by Friday February 24th 2023, with a requirement that the Secretary of State for the Department of Levelling Up & Communities reply with a definitive response to the proposal within 10 working days of the date of the submission of the proposal, in light of the short timescale for action caused by the lateness of legislation and associated online application processes in respect of the May 2022 elections;

l) That, in the event of the Secretary of State assenting to the proposal and granting powers of exemption to the Chief Operating Officer (as Returning Officer) that the setting of criteria for exemption from the requirements set out under the Elections Act 2002 and associated regulations be delegated to the Chief Operating Officer in consultation with the leader;

m) That, in the event of the Secretary of State not assenting to the proposal and granting powers of exemption, power be delegated to the Chief Operating Officer to submit the proposal for consideration by the Selector (the Local Government Association), in accordance with para 5 of the Sustainable Communities Regulations 2012 (2012/1523), such that the Selector might then resubmit the proposal to the Secretary of State and that the duty of the Secretary of State to “consult and try to reach agreement with the selector before making a decision as to whether or not to implement the submitted proposal, in whole or in part” (para 5(b) of the same regulations, be triggered;

n) That a report on progress on the matter be brought by to the next Full Council by the Chief Operating Officer.

**b) £2 bus fares for West Lancashire residents - Motion Included on the Agenda by Councillor Gareth Dowling**

This Council notes:

That a national scheme to bring bus fares down to a flat rate of £2, or £1 for a child, and day pass down to £5, or £2.50 for a child, was brought into operation on 1 January 2023 for a pilot period of three months.

The Liverpool City Region and Greater Manchester Combined Authority adopted these subsidy schemes prior to the national pilot, and intend to continue beyond the three months.

In Greater Manchester, figures show a 10% increase in the number of bus journeys.

Residents in West Lancashire would not qualify for these reduced fares beyond 31 March 2023, despite many of these services beginning or ending within LCR or GMCA boundaries, eg 375/385, 300/310.

Many West Lancashire residents rely on local bus services to reach employment, training, skills, education, shopping, family, friends and social opportunities across both LCR and GMCA.

Lancashire County Council are the Highways and Transport Authority covering the West Lancashire area, and manage the Bus Service Improvement Plan (BSIP).

This Council believes:

That the continuation of this reduced fare would actively support West Lancashire residents through the cost of living crisis, increase social mobility, open further opportunities for employment and skills, and support this council's Climate Change Strategy and Action Plan.

This Council resolves:

That the Chief Operating Officer write to the Chief Executive at Lancashire County Council calling for the consideration of using their Bus Service Improvement Plan (BSIP) monies to facilitate or subsidise the reduced fares as they currently are, beyond the 31 March 2023, on any affected route.

That the Chief Operating Officer instruct West Lancashire Borough Council officers to work closely with Lancashire County Council officers, neighbouring city regions of Liverpool and Greater Manchester and bus operators to secure agreement.

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

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

**MOBILE PHONES: These should be switched off or to 'silent' at all meetings.**

For further information, please contact:-

Jacky Denning on 01695 585384

Or email [jacky.denning@westlancs.gov.uk](mailto:jacky.denning@westlancs.gov.uk)

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

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

**IF YOU DISCOVER A FIRE**

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

**ON HEARING THE FIRE ALARM**

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

**NOTES:**

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

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

**CHECKLIST FOR PERSON IN CHARGE**

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and 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**.