



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Tuesday 13 September 2022

**TO: COUNCILLORS D WESTLEY (CHAIRMAN), I DAVIS (VICE-CHAIRMAN),
N PRYCE-ROBERTS, D WHITTINGTON AND A YATES**

(Rearranged meeting)

Dear Councillor,

A meeting of the **TAWD VALLEY DEVELOPMENTS SHAREHOLDERS COMMITTEE** will be held in the **CABINET/COMMITTEE ROOM, 52 DERBY STREET, ORMSKIRK L39 2DF** on **THURSDAY, 22 SEPTEMBER 2022** at **7.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS', written over a light blue circular stamp.

Jacqui Sinnott-Lacey
Chief Operating Officer

AGENDA
(Open to the Public)

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE COMMITTEE**
To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4.
- 3. URGENT BUSINESS**
Note, no other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

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|------------|---|-----------|
| 4. | 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). | 73 - 74 |
| 5. | MINUTES OF THE PREVIOUS MEETING To receive as a correct record, the minutes of the meeting held on 28 June 2022. | 75 - 80 |
| 6. | WORK PROGRAMME / DATES OF FUTURE MEETINGS To note the Work Programme and dates of future meetings. | 81 - 82 |
| 7. | 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 items of business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 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. | |
| 8. | DRAFT COUNCIL REPORT - TAWD VALLEY DEVELOPMENTS - DRAFT BUSINESS PLAN To consider the report of the Corporate Director of Housing, Transformation and Resources. (Updated document to be circulated in due course) | 83 - 164 |
| 9. | BECCONSALL LANE - HESKETH BANK - CONDITIONAL LAND PURCHASE - VERBAL UPDATE To consider a verbal update from the Corporate Director of Housing, Transformation and Resources. | |
| 10. | STAFFING RESOURCES IN HOUSING To consider the report of the Corporate Director of Housing, Transformation and Resources. | 165 - 172 |

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:-
Jill Ryan on 01695 585384
Or email Jill.Ryan@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 4

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 | | Notes |
|----|---|--|--|
| 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 5

TAWD VALLEY DEVELOPMENTS SHAREHOLDERS COMMITTEE

HELD: Tuesday, 28 June 2022

Start: 7.00 p.m.

Finish: 8.53 p.m.

PRESENT:

Councillor: D Westley (Chairman)
I Davis (Vice-Chairman)

Councillors: N Pryce-Roberts A Yates
D Whittington

In attendance: Councillor Katie Juckes (Wrightington Ward)
Councillor Adrian Owens (Derby Ward)

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

10 **APOLOGIES**

There were no apologies received.

11 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the Membership of the Committee.

12 **URGENT BUSINESS**

There were no urgent items of business.

13 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

14 **MINUTES OF THE PREVIOUS MEETING**

AGREED: That the Minutes of the meeting held on the 27 April 2022 be received as a correct record with it being noted that Councillor Jenny Wilkie was in fact the Chairman at this meeting.

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

Consideration was given to the Committee's Work Programme as set out on page 3 of the Book of Reports.

The Committee received an update from the Corporate Director of Housing, Transformation and Resources on the Fairlie Affordable Housing Development Scheme and explained that it had recently become a Homes England Funding Requirement that sites larger than 30 units had mixed affordable tenure. Accordingly, the Scheme was now being recommended for revision with no change to the financial model previously approved by Council.

The Committee was advised that the housing service was supportive of the revision and the scheme is highly likely to secure £2m Homes England funding as TVDL have a 100% record of securing Homes England funding for sites to date. This additional £2m will mean TVDL will have secured £4.1m of HE funding into the Borough to support new homes over the past 2 years.

- RESOLVED:**
- A.** That the full business plan be submitted to Council on the 12 October 2022.
 - B.** That the date of the next meeting to be confirmed.
 - C.** That the update on Fairlie Affordable Housing Development Scheme was welcomed by Members.

16 **EXCLUSION OF PRESS AND PUBLIC**

Note: A request was made that the Committee should consider Agenda Items 8,9,10,11,12 in the public domain. The Committee considered the request and considered that the reports should be discussed in Part 2.

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.

17 **RESET AND REFOCUS OF TVDL**

Consideration was given to the report of the Corporate Director of Housing, Transformation and Resources as contained on pages 5 to 20 of the Book of Reports which set out a series of recommendations to both reset and refocus the aims and objectives of TVDL in line with Shareholder aspirations.

Comments and questions were raised in respect of the following:

- The awarding of work directly to TVDL
- Ownership and development of the business plan, which would have to come through Council.
- Specification for any work undertaken by TVDL on behalf of the Council.
- Current vacancies in Housing, what capacity currently there is and the opportunities for training up of junior members of staff.
- Discussion re the Digmaor Revival Scheme.
- Regeneration issues in the Borough and investment in current stock.
- The need to build houses that are going to last and to a high specification
- Whether a development company would be the preferred route to achieve Council objectives and whether this would be the best option moving forward.
- Continuing to develop our relationship with Homes England.
- Amount of external funding brought in.
- Amount of people on the Council's current housing waiting list.
- The need to see an updated projected profit and loss account.
- Local plan – struggling for sites in the Borough to meet our housing needs.
- It was felt that paragraph 8.3 be slightly re worded as it was felt that it was inappropriate to build outside the Borough. This was moved and seconded and that a recommendation be taken to full Council not to build outside of the Borough.
- The Business Plan and whether it would come back to this Committee prior to being taken to full Council.
- Method of tendering.
- Option of TVDL developing or other local authorities or Housing Association and the payment methods for this type of work.

RESOLVED: A. That the Officer be thanked for a very comprehensive report.

B. That the revised aim for TVDL set out in paragraph 8.3 of the report should be amended so that the Company will only undertake work within West Lancashire.

C. That the Committee supported TVDL undertaking work for other Local Authorities and Registered Providers outside the Borough.

18 TVDL - DEVELOPERS FEE

Consideration was given to the report of the Corporate Director Housing, Transformation and Resources as contained on pages 21 to 28 of the Book of Reports the purpose of which was to set out a proposal to amend the fee being charged to the Council for development services, and to ensure it accurately corresponds to the costs TVDL incurs in delivering those services.

A comment was raised in respect of the following:

- The awarding of work directly to TVDL

- RESOLVED:
- A.** That the option set out at paragraph 5.8 C be approved in terms of a cost recovery approach, as the developer fee to be paid by the Council to TVDL for providing its development services.
 - B.** That the model of time recording as outlined at paragraph 5.10 be endorsed.

19 TVDL - NEW APPROACH TO CASH AND BORROWING

Consideration was given to the report of the Corporate Director of Housing, Transformation and Resources as contained on pages 29 to 34 of the Book of Reports the purpose of which was to consider a new approach to the management of cash and borrowing by TVDL.

Comments and questions were raised in respect of:

- Fixed term loans and variable rates of interest
- Connected parties
- Future borrowing

RESOLVED: That the proposed new approach to cash holdings and borrowing be endorsed.

20 TVDL - PROGRESS UPDATE ON LP REPORT RECOMMENDATIONS

Consideration was given to the report of the Corporate Director of Housing, Transformation and Resources as contained on pages 35 to 44 of the Book of Reports which set out an update on the progress that had been made on the recommendations set out in the independent review of TVDL.

RESOLVED: That the progress update be noted.

21 REPORT ON MUCH HOOLE

Consideration was given to the report of the Corporate Director of Housing, Transformation and Resources as contained on pages 65 to 72 of the Book of Reports which set out two options for consideration for the disposal/development of land at Much Hoole,

The Committee discussed the report and comments, and questions were raised in the respect of the following:

**TAWD VALLEY DEVELOPMENTS
SHAREHOLDERS COMMITTEE**

HELD: Tuesday, 28 June 2022

- Risks involved
- A Member had no concerns on either Option 1 or Option 2 as set out in the report
- Investment time of our staff

RESOLVED: That Option 1 of the report be endorsed.

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Chairman

TVD Shareholders Committee Work Programme – September 2022

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

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