



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Tuesday, 5 December 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, 13 DECEMBER 2023** at **7.30 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to read "J. Sinnott-Lacey".

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.)

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4. MINUTES

To receive as a correct record, the minutes of the previous meeting held on

- a) Wednesday, 18 October 2023 (Special Alderman Meeting) 3 - 4
- b) Wednesday, 18 October 2023 5 - 10

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) **Polling Districts and Polling Places Review Committee - Wednesday, 11 October 2023** 11 - 12
- b) **Audit & Governance Committee - Tuesday, 24 October 2023** 13 - 16
- c) **Polling Districts and Polling Places Review Committee - Tuesday, 14 November 2023** 17 - 18
- d) **Planning Committee - Thursday 23 November 2023** 19 - 22

8. PROCEDURE FOR DEALING WITH EMPLOYMENT RELATED APPEALS AGAINST DISMISSAL OR DEMOTION IN ALL APPLICABLE POLICIES 23 - 40

To consider the report of the Corporate Director of Transformation, Housing & Resources.

- 9. **Q2 GRA REVENUE MONITORING REPORT** 41 - 48
To consider the report of the Head of Finance, Procurement & Commercial Services.
(Relevant Portfolio Holder: Councillor R Molloy)

- 10. **Q2 GRA CAPITAL MONITORING REPORT** 49 - 70
To consider the report of the Head of Finance, Procurement & Commercial Services.
(Relevant Portfolio Holder: Councillor R Molloy)

- 11. **Q2 TREASURY MANAGEMENT** 71 - 82
To consider the report of the Head of Finance, Procurement & Commercial Services.
(Relevant Portfolio Holder: Councillor R Molloy)

12. Q2 HRA REVENUE & CAPITAL MONITORING REPORT

To consider the report of the Head of Finance, Procurement & Commercial Services. 83 - 96
(Relevant Portfolio Holder: Councillor N Pryce-Roberts)

13. TIMETABLE OF MEETINGS 2024/25

To consider the report of the Corporate Director Transformation, Housing & Resources. 97 - 100

14. EXECUTIVE DECISIONS - SPECIAL URGENCY

To consider the report of the Chief Operating Officer. 101 - 102

15. MOTIONS

To consider the following Motions included on the agenda at the request of the Members indicated:

a) Diverse Councils Declaration - Motion from Councillor Gareth Dowling on behalf of the Labour Group

This Council commits to being a Diverse Council. We agree to:

1. Provide a clear public commitment to improving diversity in democracy.
2. Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct.
3. Set out a local Diverse Council Action Plan ahead of the next local elections. Including:
 - Appoint Diversity Ambassadors for each political group on the council to work with each other and local party associations to encourage recruitment of candidates from under-represented groups.
 - Encourage and enable people from under-represented groups to stand for office through the provision of activities such as mentoring and shadowing programmes and information and learning events for people interested in standing as official candidates.
 - Proactive engagement and involvement with local community groups and partner organisations supporting and representing under-represented groups
 - Ensure that all members and candidates complete a candidates' and councillors' survey distributed at election time.
 - Set ambitious targets for candidates from under-represented groups at the next local elections
4. Work towards the standards for member support and development as set out in the LGA Councillor Development Charter and/or Charter Plus.
5. Demonstrate a commitment to a duty of care for councillors by:
 - providing access to counselling services for all councillors having regard for the safety and wellbeing of councillors whenever they are performing their role as councillors.
 - taking a zero-tolerance approach to bullying and harassment of members including through social networks.
6. Provide flexibility in council business by:

- regularly reviewing and staggering meeting times
- encouraging and supporting remote attendance at meetings
- agreeing recess periods to support councillors with caring or work commitments.

7. Ensure that all members take up the allowances and salaries to which they are entitled, particularly any reimbursement for costs of care, so that all members receive fair remuneration for their work and that the role of member is not limited to those who can afford it.

8. Ensure that the council adopts a parental leave policy setting out members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.

9. Ensure that councillors from under-represented groups are represented whenever possible in high profile, high influence roles.

b) Adopt The Charter for Families Bereaved Through Public Tragedy - Motion from Councillor Ann Fennell on behalf of the Labour Group

The Charter for Families Bereaved through Public Tragedy was written by the former Bishop of Liverpool to ensure the suffering endured by families bereaved following the 1989 Hillsborough disaster is not repeated after future disastrous events.

Liverpool City is one of our great neighbours, we have had many families directly and indirectly affected by the Hillsborough Tragedy itself. I believe West Lancashire Borough Council should stand shoulder to shoulder with all bereaved families who have suffered loss and that we ensure that West Lancashire Borough Council do not make the same mistakes in the aftermath of any future disasters.

West Lancashire Borough council therefore resolves to

Adopt The Charter for Families Bereaved Through Public Tragedy

In adopting this charter, West Lancashire Borough Council commit to ensuring that West Lancashire Borough Council learns the lessons of the Hillsborough disaster and its aftermath, so that the perspective of the bereaved families is not lost.

We commit to West Lancashire Borough Council becoming an organisation which strives to:

1. In the event of a public tragedy, activate its emergency plan and deploy its resources to rescue victims, to support the bereaved and to protect the vulnerable.
2. Place the public interest above our own reputation.
3. Approach forms of public scrutiny – including public inquiries and inquests – with candour, in an open, honest and transparent way, making full disclosure of relevant documents, material and facts. Our objective is to assist the search for the truth. We accept that we should learn from the findings of external scrutiny and from past mistakes.
4. Avoid seeking to defend the indefensible or to dismiss or

disparage those who may have suffered where we have fallen short.

5. Ensure all members of staff treat members of the public and each other with mutual respect and with courtesy. Where we fall short, we should apologise straightforwardly and genuinely.

6. Recognise that we are accountable and open to challenge. We will ensure that processes are in place to allow the public to hold us to account for the work we do and for the way in which we do it. We do not knowingly mislead the public or the media.

c) **WASPI (Women Against State Pension Inequality) - Motion from Councillor Melissa Parlour on behalf of the Labour Group**

Council notes that:

- In the 1995 Pensions Act, the Government increased State Pension age for women from 60 to 65, with a further increase to 66 in the 2011 Pensions Act.
- The change was not properly communicated to 3.8m women born in the 1950s until 2012, giving some only one year's notice of a six year increase in their anticipated retirement age. The affected women are in our own authority area.
- The Parliamentary and Health Service Ombudsman (PHSO) has found that the Department for Work and Pensions was guilty of maladministration in its handling of the State Pension Age increase for women born in the 1950s.
- The All Party Parliamentary Group on State Pension Inequality for Women has concluded that "the impact of DWP maladministration on 1950s-born women has been as devastating as it is widespread. The APPG believes that the case for category 6 injustice is overwhelming and clear. Women have had their emotional, physical, and mental circumstances totally obliterated by a lack of reasonable notice."
- Research commissioned by campaign group WASPI has found that by the end of 2022, more than 220,000 1950s born women will have died waiting for justice since the WASPI campaign began in 2015.
- WASPI's figures show that over the course of the two year COVID pandemic, 1 in 10 women who died was affected by these uncommunicated changes and lost both their state pension income and the opportunity to make alternative retirement plans.
- Despite the Ombudsman's findings and the rapid death rate of those affected, the government is choosing to wait for further reports before taking any action.

Council believes this injustice has not only had a profound effect on the individuals involved but on the wider community in West Lancashire and on local government, not least because:

- Women who would have looked after older relatives or partners are unable to afford to do so, with a knock-on impact on local social care

- Women who would have retired and engaged in caring responsibilities for grandchildren are having to continue working, increasing the childcare burden on the state locally
- Women who have been left in poverty are struggling to meet their housing costs, with a knock-on impact on local housing stock
- There is a broader impact on voluntary services of all kinds locally, which are missing out on able, active volunteers who would otherwise have been able to retire from full-time work as planned
- Our local economy is negatively affected by the reduced spending power and disposable income the uncommunicated State Pension Age changes has brought about among women born in the 1950s

Council supports:

- The conclusion of the All Party Parliamentary Group on State Pension Inequality that women born in the 1950s have suffered a gross injustice, affecting their emotional, physical and mental circumstances in addition to causing financial hardship.
- A swift resolution to this ongoing injustice before more and more women die waiting for compensation.
- The WASPI campaign for an immediate one-off compensation payment of between £11,666 and £20,000 to those affected, with the most going to women who were given the shortest notice of the longest increase in their state pension age.

Council asks:

- The Leader of the Council to write to local Members of Parliament, and to the Secretary of State for Work and Pensions to outline the effects of the injustice to 1950s women on the community in West Lancashire and to seek their support for an immediate compensation package.

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**.

	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 4a

COUNCIL

HELD: Wednesday, 18 October 2023

Start: 6.45 pm

Finish: 7.20 pm

PRESENT:

Councillors:

M Nixon (Mayor)

J Finch (Deputy Mayor)

T Aldridge

R Bailey

P Burnside

V Cummins

T Devine

I Eccles

J Fillis

T De Freitas

Y Gagen

N Hennessy

P Hesketh

K Jukes

K Lloyd

G Owen

S Patel

J Rear

N Pryce-Roberts

D West

Mrs M Westley

J Witter

M Anderson

A Blundell

C Coughlan

D Daniels

G Dowling

A Fennell

A Fowler

N Furey

J Gordon

P Hennessy

J Howard

S Lawton

R Molloy

M Parlour

Marsh-Pritchard

I Rigby

Webster

D Westley

D Whittington

A Yates

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer

James Pierce, Head of Finance, Procurement and Commercial Services Section 151 Officer

Lisa Windle, Head of Corporate and Customer Services

Paul Charlson, Head of Planning & Regulatory Services

Kay Lovelady, Head of Legal & Democratic Services

Jacky Denning, Democratic Services Manager

Stephen Stephen, Mayor's Chauffeur/Civic Officer

Chantal Barton, Digital Communications Officer

Thomas Lynan, Electoral Services Manager

In attendance:

Alderman Atherley, Grant & Roberts

32 PRAYERS

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

33 APOLOGIES

Apologies for absence were received on behalf of Councillors Hogan, Mrs Marshall and Pope.

34 DECLARATIONS OF INTERESTS

There were no declarations of interests.

35 HONORARY ALDERMAN - MRS MAY BLAKE

Consideration was given to a Notice of Motion moved by Councillor Westley and seconded by Councillor Whittington in the following terms:

“That pursuant to their powers under Section 249 (1) of the Local Government Act 1972, the Council do confer upon Mrs May Blake, the title of Honorary Alderman of the Borough of West Lancashire in recognition of the eminent services which she has rendered to the Council of the Borough of West Lancashire during the 28 years in which she was a Member of the Council.”

In moving the above Motion, Councillor Westley paid tribute to the services rendered to the Council by former Councillor Mrs Blake during her 28 years as a Councillor.

Councillor Whittington, in seconding the Motion, concurred with Councillor Westley’s remarks, as did other Members who were in attendance.

The Mayor then put the Motion to the vote and as there were more than two-thirds of the Members voting thereon in favour of the Motion, as required by Section 249(1) of the Local Government Act 1972, it was

RESOLVED: That pursuant to their powers under Section 249 (1) of the Local Government Act 1972, the Council do confer upon Mrs May Blake, the title of Honorary Alderman of the Borough of West Lancashire in recognition of the eminent services which she has rendered to the Council of the Borough of West Lancashire during the 28 years in which she was a Member of the Council.

.....
THE MAYOR

Agenda Item 4b

COUNCIL

HELD: Wednesday, 18 October 2023

Start: 7.30 pm

Finish: 8.35 pm

PRESENT:

Councillors:

M Nixon (Mayor)

J Finch (Deputy Mayor)

T Aldridge

R Bailey

P Burnside

V Cummins

T Devine

I Eccles

J Fillis

T De Freitas

Y Gagen

N Hennessy

P Hesketh

K Jukes

K Lloyd

R Molloy

M Parlour

Marsh-Pritchard

I Rigby

Webster

D Westley

D Whittington

A Yates

M Anderson

A Blundell

C Coughlan

D Daniels

G Dowling

A Fennell

A Fowler

N Furey

J Gordon

P Hennessy

J Howard

S Lawton

Mrs J Marshall

G Owen

S Patel

J Rear

N Pryce-Roberts

D West

Mrs M Westley

J Witter

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer

James Pierce, Head of Finance, Procurement and Commercial Services Section 151 Officer

Lisa Windle, Head of Corporate and Customer Services

Paul Charlson, Head of Planning & Regulatory Services

Kay Lovelady, Head of Legal & Democratic Services

Jacky Denning, Democratic Services Manager

Chantal Barton, Digital Communications Officer

Thomas Lynan, Electoral Services Manager

36 **APOLOGIES**

Apologies for absence were received on behalf of Councillors Hogan and Pope.

37 **DECLARATIONS OF INTEREST**

The following declarations were received:

1. Councillors Blundell, de Freitas, Gordon, Howard, Mrs Marshall, Gaynar Owen, Patel, Webster, Whittington and Witter declared a non-pecuniary interest in relation to item 9 ' Council Vision and Priorities 2023-2028' in view

of their membership of a Parish Council.

2. Councillors Aldridge, Bailey, Fillis, N Hennessy, Rear and D Westley declared a non pecuniary interest in relation to item 9 ' Council Vision and Priorities 2023-2028" and item 13 'West Lancashire Youth Mayor/Ambassador', as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.

38 **MINUTES**

The minutes of the meeting held on 19 July 2023 were received as a correct record and signed by the Mayor.

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

The Mayor announced the following fund raising events:

1. Friday Oct 27th Halloween Party at E Rooms from 7pm tickets are £10 from Councillor Carl Coughlan
2. Sunday 3rd December - "The Mayors Christmas Spectacular" - is a massive Christmas Fair at the Buffs Club, Quarry Bank, Skelmersdale. This is a children and families event with lots of children's activities. Come to see Santa's arrival on his magic Sleigh and visit him in his Grotto.
3. Friday and Saturday 15 and 16 December – there will be a present wrapping service provided by Upholland Rotary at the Concourse, Skelmersdale. All proceeds to go to raise money for my charities.

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

There were no items under this heading.

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. Audit & Governance Committee - Wednesday, 26 July 2023
- B. Planning Committee - Thursday, 27 July and 7 September 2023
- C. Standards Committee - Tuesday, 19 September 2023

D. Licensing & Gambling Committee – Tuesday, 3 October 2023**42 SOCIAL VALUE POLICY**

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 33 to 46 of the Book of Reports, which set out details of the proposed Social Value Policy.

The minutes of the Executive Overview & Scrutiny Committee and Cabinet had been circulated prior to the meeting.

RESOLVED: A. That the Social Value Policy is noted and approved.

- B. That authority be given to Head of Finance, Procurement and Commercial Services to make and approve changes to the Social Value Policy to reflect any changes to Law or Regulatory Guidance with no further reference to Council.

43 COUNCIL ANNUAL REVIEW 2022/23

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 47 to 72 of the Book of Reports, which presented the Council Annual Review 2022/23.

RESOLVED: A. That the Council Annual Review 2022/23 (Appendix 1) be noted.

- B. That authority be given to the Corporate Director of Transformation, Housing and Resources, in consultation with the relevant Portfolio Holder, to make any minor final amendments to the document prior to publication.

44 COUNCIL VISION AND PRIORITIES 2023-2028

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 73 to 102 of the Book of Reports, which sought approval of the Council Vision and Priorities 2023-2028.

The minutes of the Executive Overview & Scrutiny Committee and Cabinet, including a revised Appendix A, were circulated prior to the meeting.

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

A vote was taken, the Motion was CARRIED.

RESOLVED: A. That having regard to the comments from Executive Overview & Scrutiny and Cabinet along with the results from the public consultation contained in the report, the "Council Vision and Priorities 2023-2028" attached in the revised Appendix A, circulated prior to the meeting, be approved and adopted.

- B. That the proposed process for adopting a monitoring framework for the new Priorities, be taken through Executive Scrutiny and Cabinet in February/March 2024.
- C. That the proposed interim reporting arrangements for the remaining quarter performance reporting for 2023/24 be approved.

45 OVERVIEW & SCRUTINY ANNUAL REPORT 2022/23

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 103 to 136 of the Book of Reports, which presented the Overview and Scrutiny Annual Report 2022/23 and considered how Overview and Scrutiny is working at West Lancashire.

RESOLVED: That the Overview and Scrutiny Annual Report 2022/23, appended to the report, be noted and the Overview and Scrutiny Committees be commended on their work.

46 COMMITTEE SYSTEM - PROPOSED STRUCTURE AND TERMS OF REFERENCE MAY 2024

Consideration was given to the report of Simon Goacher, Independent Legal Adviser, on behalf of the Chief Operating Officer, as contained on pages 137 to 144 of the Book of Reports, which presented the draft terms of reference of the Policy and Resources Committee for approval.

Appendix 2, containing the draft Committee Structure, had been circulated prior to the meeting.

A Motion to approve the recommendations at paragraph 2 of the report, were moved and seconded.

An Amendment to the Motion to defer consideration of the report until an all Member Briefing is held, was moved and seconded.

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

A Further Amendment to the Motion, to include that a full Member Briefing be arranged as soon as possible, was moved and seconded.

A vote was taken on the Further Amendment, which was LOST

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

RESOLVED: A. That a single Policy and Resources Committee be approved, when the Council moves to a committee system of governance from May 2024.

- B. That the Terms of Reference of the Policy and Resources

Committee as set out in Appendix 1 to the report, be approved.

47 REVISION OF VIREMENT LEVELS

Consideration was given to the report of Simon Goacher, Independent Legal Adviser, on behalf of the Chief Operating Officer, the Corporate Director of Transformation, Housing & Resources, as contained on pages 145 to 150 of the Book of Reports, which presented information about virement levels adopted by other authorities and recommended approval of the revised virements levels as set out in the report.

RESOLVED: A. That the amendment of the virement approval levels in the Budget and Policy Framework be approved as follows:

Service Head	£25,000
Chief Officers and Section 151 Officer	£50,000
Cabinet	£100,000
(Policy & Resources Committee from May 2024)	
Full Council	over £100,000

B. That the Proper Officer Provisions and Scheme of Delegation to Chief Officers etc (Constitution 4.2 to 4.2C), C. To the Head of Finance, Procurement & Commercial Services (as section 151 officer) to increase write off levels to £25,000, be amended as set out in Appendix 1 to the report.

C. That the Head of Legal & Democratic Services update the Constitution accordingly.

48 YOUTH MAYOR

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 151 to 154 of the Book of Reports, which provided an update position on the future of a Youth Mayor/Ambassador.

A Motion to approve the recommendation at paragraph 2 of the report, was moved and seconded.

An Amendment, that the Report with the information agreed by Full Council on the 12 October 2022 be brought to the February 2024 Meeting of the Full Council, was moved and seconded.

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

FOR: Councillors Bailey, Blundell, Daniels, Eccles, de Freitas, Gordon, Howard, Jukes, Mrs Marshall, Rear, Rigby, Webster, D Westley, Mrs Westley, Whittington and Witter (SIXTEEN)

COUNCIL

HELD: Wednesday, 18 October 2023

AGAINST: Councillors Aldridge, Anderson, Burnside, Coughlan, Cummins, Devine, Dowling, Fennell, Fillis, Finch, Fowler, Furey, Gagen, N Hennessy, P Hennessy, Lawson, Lloyd, Marsh-Pritchard, Molloy, Nixon, Owen, Parlour, Patel, Pryce-Roberts, West and Yates (TWENTY SIX)

ABSTENSION: Councillor Hesketh (ONE)

The Amendment was LOST.

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

RESOLVED: That further work be undertaken to explore best value options to promote youth involvement in decision making and youth related activities within the borough whether that be via a Youth Mayor/Ambassador or other role/mechanism.

.....
THE MAYOR

POLLING DISTRICTS AND POLLING PLACES REVIEW COMMITTEE

HELD: Wednesday, 11 October 2023

Start: 7.00 pm

Finish: 7.09 pm

PRESENT:

Councillor: G Dowling (Chairman)

Councillors: V Cummins K Juckes
D Westley

In attendance: G Owen (via Teams) T De Freitas

Officers: Thomas Lynan, Electoral Services Manager
Duncan Jowitt, Democratic Services Officer

11 APOLOGIES

Apologies were received on behalf of Councillor Owen, who did not participate and observed the meeting virtually.

12 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillor Whittington and the appointment of Councillor Juckes and the termination of Councillor Yates and the appointment of Councillor Cummins for this meeting only, thereby giving effect to the wishes of the Political Groups.

13 DECLARATIONS OF INTEREST

Councillor Juckes declared a non-pecuniary interest in agenda item 5 'Interim Polling Review 2023 - Initial Report', as she had participated in the setting of the precepts for Wrightington Parish Council as a Parish Councillor.

14 MINUTES

RESOLVED: That the minutes of the meeting held on 6 October 2022 be agreed as a correct record and signed by the Chairman.

15 INTERIM POLLING REVIEW 2023 - INITIAL REPORT

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources as contained on pages 5 to 26 of the Book of Reports.

The Chairman invited the Electoral Services Manager to present the report, which was seeking the committee's approval to conduct 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 amend the Initial Proposals to remove the proposal for a further polling

station at Ormskirk West from the recommendations, was moved and seconded. A vote was taken and, as there were equal numbers of votes for and against, the Chairman used his casting vote in accordance with Procedure Rule 16.2, and the Motion was DEFEATED.

A vote was taken on the recommendations and, as there were equal numbers of votes for and against, the Chairman used his casting vote in accordance with Procedure Rule 16.2, and it was RESOLVED:

1. That the Timetable at Appendix 1 of the report for the Interim Review of Polling Districts and Places, be agreed.
2. That the Initial Proposals (Appendix 2-4) be noted.
3. That at the conclusion of the Review, the Corporate Director of Transformation, Housing & Resources report to the Polling Districts and Polling Places Review Committee with Final Interim Review Proposals for determination.

.....
Chairman

AUDIT & GOVERNANCE COMMITTEE

HELD: Tuesday, 24 October 2023

Start: 7.00 pm

Finish: 7.38 pm

PRESENT:

Councillor: M Anderson (Chairman)

Councillors: M Parlour D Daniels
J Fillis K Jukes
D West D Whittington

In attendance: Ben Stern, Grant Thornton

Officers: James Pierce, Head of Finance, Procurement and Commercial Services Section 151 Officer
Catherine Kirwan, Procurement Manager
Jennifer Lunn, Assistant Solicitor
Jacqueline Pendleton, Corporate Compliance & Governance Manager
Alison Wood, Interim Corporate Finance Manager
Duncan Jowitt, Democratic Services Officer

28 MEMBERSHIP OF THE COMMITTEE

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

29 URGENT BUSINESS

There were no urgent items of business.

30 DECLARATIONS OF INTEREST

There were no declarations of interest.

31 MINUTES OF PREVIOUS MEETING

RESOLVED: That the Minutes of the meeting held on 26 July 2023 be received as a correct record and signed by the Chairman.

32 PUBLIC SPEAKING

There were no items under this heading.

33 INTERNAL AUDIT ACTIVITIES – PROGRESS REPORT

The Corporate Director of Transformation, Housing & Resources submitted a report advising Members of progress against the 2023/24 Internal Audit Plan.

The Corporate Compliance & Governance Manager presented the report and also informed the Committee that interviews were to take place the following week for an

Apprentice Internal Auditor.

Councillors asked about updates and replicating the original audit assurance rating in follow up reports and about the future central management of electric charging points.

The Committee considered the Internal Audit Activities Progress Report as contained on pages 203-214 of the Book of Reports, which had been presented to Members for approval.

RESOLVED: That the contents of the Internal Audit Activities - Progress Report at Appendix 1 of the report, summarising progress to date and any significant issues be noted.

34 **ANNUAL REPORT OF THE SENIOR INFORMATION RISK OWNER (SIRO) – 2022/23**

The Corporate Director of Transformation, Housing & Resources submitted a report, which provided an overview of West Lancashire Borough Council's 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 informed the Committee that ongoing improvements to the Council web pages were expected to reduce the number of Freedom of Information requests in the future.

The Committee considered the report as contained on pages 215-236 of the Book of Reports.

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

35 **LOCAL CODE OF GOVERNANCE**

The Corporate Director of Transformation, Housing & Resources submitted a report presenting the Council's updated Local Code of Governance as recommended in the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) 2016 Framework, "Delivering Good Governance in Local Government".

The Corporate Compliance and Governance Manager presented the report as contained on pages 237-252 of the Book of Reports. An amendment was suggested in respect of the reference to "Council Plan" on page 6.

RESOLVED: That the Council's updated Local Code of Governance as set out in Appendix 1 of the report, be noted and amended as suggested.

36 QUARTERLY REPORT ON PROCUREMENT EXEMPTIONS

The Head of Finance, Procurement and Commercial Property submitted a report on the Council's use of an exemption from Public Contracts Regulations 2015 and/ or Council's Contract Procedure Rules.

The Procurement and Contracts Manager presented the report and informed Members that there had been no further exemptions since the previous report and that the exemption listed would fall off before the next meeting.

A question was raised and responded to in relation to the Arc GIS Software.

The Committee considered the Quarterly Report on Procurement Exemptions as contained on pages 253 to 258 of the Book of Reports, which had been presented to Members.

RESOLVED: that the Council's exemption activity be noted

37 REGULATION OF INVESTIGATORY POWERS (RIPA) ACT REGULAR MONITORING OF USE OF POWERS

Consideration was given to the report of the Legal and Democratic Services Manager as contained on pages 259-260 of the Book of Reports, 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 had not had cause to use its powers under the Regulation of Investigatory Powers Act 2020 (RIPA) during the last 12 months.

38 STATEMENT OF ACCOUNTS 2021/22

The Head of Finance, Procurement and Commercial Property submitted a report requesting approval of the Statement of Accounts for 2020/21 set out in Appendix 1 of the report.

The Head of Finance, Procurement and Commercial Services presented the report and advised Members that the Statement of Accounts at pages 263-400 of the Book of Reports had taken a considerable length of time and work to prepare as there had been a lot of changes in 2021, which had resulted in different versions of the accounts. He said that there were still some technical and non-material aspects to update and asked that the committee delegate authority to him to make those amendments.

Ben Stern informed the Committee that Grant Thornton had planned to bring the final Audit Findings Report to the meeting and the Audit Progress Report included at Page 393 of the agenda set out some of the issues encountered that had prevented this. The Finance Team had also had continuity issues and he appreciated all the work that had been done in that regard.

Members asked whether there had been issues because of changes to regulations

since 2020-21 and Mr Stern informed them that the passage of time had meant that there had been additional work to do and that he was confident that no further material amendments would be necessary.

RESOLVED: That the Statement of Accounts for 2020/21 set out in Appendix 1 of the report be approved and that authority be delegated to the Head of Finance, Procurement and Commercial Services to make any non-material amendments required to the Statement of Accounts.

39

AUDIT AND GOVERNANCE COMMITTEE WORK PROGRAMME

Consideration was given to the Committee's 2022/23 Work Programme as set out on page 71 of the Book of Reports and it was questioned whether any dates needed to be added where they were not included and whether the dates that were shown on the Work Programme were achievable. The Head of Finance, Procurement and Commercial Services said that he considered the dates shown to be feasible.

RESOLVED: That the Committee Work Programme 2023/24 be agreed.

.....
Chairman

POLLING DISTRICTS AND POLLING PLACES REVIEW COMMITTEE

HELD: Tuesday, 14 November 2023

Start: 7.00 pm

Finish: 7.11 pm

PRESENT:

Councillor: G Owen (Chairman)

Councillors: G Dowling
J Rear
T De Freitas
A Yates

Officers: Thomas Lynan, Electoral Services Manager
Duncan Jowitt, Democratic Services Officer

Also in attendance: One member of the press

16 APOLOGIES

None.

17 MEMBERSHIP OF THE COMMITTEE

There were no changes to the Membership of the Committee.

18 DECLARATIONS OF INTEREST

There were no declarations of interests.

19 MINUTES

RESOLVED: That the minutes of the meeting held on 11 October 2023 be agreed as a correct record and signed by the Chairman.

20 INTERIM POLLING REVIEW 2023 - FINAL REPORT

Consideration was given to the report of the Corporate Director of Transformation, Housing & Resources as contained on pages 31 to 57 of the Book of Reports.

The Chairman invited the Electoral Services Manager to present the report, which was to conclude the Interim Review of Polling Districts and Polling Places in line with the Representation of the People Act 1983, as amended (the 1983 Act) and determine the final proposals.

The committee gave careful and thorough consideration to the consultation responses as set out in Appendix 1 of the report and felt that insufficient evidence had been provided to warrant opposing the proposals. Members understood the sensitivities expressed in relation to cost but wished to make it as easy as possible for people to vote and considered that the number of voters justified an additional polling station, noting that Ormskirk West in particular currently has below the average number of polling stations and the highest ratio of electors to polling stations.

Members then voted on the proposals for each affected Ward individually. Members decided by 3 votes to 2 that the proposals for Ormskirk West at Appendix 2 should be approved and unanimously agreed the proposals for Rural West at Appendix 3 and Skelmersdale South at Appendix 4.

.....
Chairman

PLANNING COMMITTEE

HELD: Thursday, 23 November 2023

Start: 7.00 pm

Finish: 9.12 pm

PRESENT:

Councillor: G Owen (Chairman)
A Fowler (Vice-Chairman)

Councillors: A Blundell M Anderson
P Hogan A Fennell
E Pope S Patel
J Witter L Webster

In attendance: Councillor K Jukes (Rural North East Ward)
Councillor M Westley (Rural West Ward)

Officers: Steven Faulkner, Planning Services Manager
Kate Jones, Planning Services Team Leader
David Delaney, Legal Assistant (Planning)
Hollie Griffith, Planning Assistant Solicitor
Duncan Jowitt, Democratic Services Officer

35 APOLOGIES

There were no apologies for absence received.

36 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

37 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business received.

38 DECLARATIONS OF INTEREST

Councillors G Owen, A Fennell and L Webster declared a non-pecuniary interest in respect of planning application 2023/0491/FUL relating to 20 Gregory Lane, Halsall, Ormskirk and that they would leave the Chamber during consideration of this application and take no part in the decision-making process, as when they were on the site visit they had visited the property next door.

39 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

40 MINUTES

RESOLVED: That the minutes of the meeting held on the 7 September 2023 be approved as a correct record and signed by the Chairman.

41 PLANNING APPLICATIONS

Consideration was given to the report of the Corporate Director of Transformation, Housing and Resources as contained on pages 329 to 424 of the Book of Reports and on pages 431 to 437 of the Late Information Report.

Notes:

1. Councillor Katie Jukes spoke in connection with planning application 2023/0169/FUL relating to Lane Farm, Mossy Lea Road, Wrightington.
2. Councillor Marilyn Westley spoke in connection with planning application 2023/0491/FUL relating to 20 Gregory Lane Halsall Ormskirk and left the meeting at the conclusion of this item.
3. An Objector and the Agent spoke in connection with planning application 2023/0169/FUL, Lane Farm, Mossy Lea Road, Wrightington.
4. An Objector and the Applicant spoke in connection with planning application 2023/0491/FUL 20 Gregory Lane, Halsall.
5. Two Objectors and the Agent spoke in connection with planning application 2023/0471/FUL relating to Vicarage Barn, Southport Road, Ormskirk.
6. The Agent spoke in connection with planning application 2023/0663/PIP relating to Land South of Holmeswood Road, Rufford.
7. The Parish Clerk for Rufford Parish Council spoke in connection with planning application 2023/0663/PIP relating to Land South of Holmeswood Road, Rufford.
8. A Parish Councillor from Parbold Parish Council spoke in connection with planning application 2022/0883/FUL relating to Sister of Notre Dame Convent, Lancaster Lane, Parbold.
9. The Agent spoke in connection with planning application 2022/0883/FUL relating to Sister of Notre Dame Convent, Lancaster Lane, Parbold.

42 2022/0883/FUL - SISTERS OF NOTRE DAME CONVENT, LANCASTER LANE, PARBOLD

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/0883/FUL relating to Sisters of Notre Dame Convent, Lancaster Lane, Parbold.

RESOLVED: That planning application 2022/0883/FUL relating to Sisters of Notre Dame Convent, Lancaster Lane, Parbold be approved subject to the conditions and reasons as set out on pages 345 to 355 of the Book of Reports.

43 2022/0624/FUL - THE AVIARY RESTAURANT, BLINDMANS LANE, ORMSKIRK

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/0624/FUL relating to The Aviary, Blindman's Lane, Ormskirk.

RESOLVED: That planning application 2022/0624/FUL relating to The Aviary, Blindman's Lane, Ormskirk be approved subject to the conditions and reasons as set

out on pages 365 to 366 of the Book of Reports and on pages 435 to 436 of the Late Information Report.

44 2022/0626/FUL - THE AVIARY RESTAURANT, BLINDMANS LANE, ORMSKIRK

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/0626/FUL relating to The Aviary Restaurant, Blindman's Lane, Ormskirk.

RESOLVED: That planning application 2022/0626/FUL relating to The Aviary Restaurant, Blindman's Lane, Ormskirk be pending further information relating to car parking provisions.

45 2023/0169/FUL - LANE FARM, MOSSY LEA ROAD, WRIGHTINGTON

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0169/FUL relating to Lane Farm. Moss Lea Road, Wrightington.

RESOLVED: That planning application 2022/0626/FUL relating to Lane Farm, Mossy Lea Road, Wrightington be approved subject to the condition and reason as set out on page 383 of the Book of Reports.

46 2023/0491/FUL - 20 GREGORY LANE, HALSALL, ORMSKIRK

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0491/FUL relating to 20 Gregory Lane, Halsall, Ormskirk.

RESOLVED: That planning application 2023/0491/FUL relating to 20 Gregory Lane, Halsall be approved subject to the conditions and reasons as set out on pages 392 to 393 of the Book of Reports with an amendment to Condition 4 and an additional condition as set out below:-

Amended Condition 4

The garage conversion hereby permitted shall be retained for use by the dwelling at all times for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for trade or business purposes primarily serving visiting members of the public".

Reason unchanged.

Additional Condition 6 requiring 3 on site parking spaces with wording of condition and reason delegated to officers.

47 2023/0663/PIP - LAND SOUTH OF HOLMESWOOD ROAD, RUFFORD

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0663/PIP relating to Land South of Holmeswood Road, Rufford.

RESOLVED: That a decision on planning application 2023/0663/PIP relating to Land South of Holmeswood Road, Rufford be deferred pending a site visit.

48 2023/0471/FUL - VICARAGE BARN, SOUTHPORT ROAD, SCARISBRICK

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0471/FUL relating to Vicarage Barn, Southport Road, Scarisbrick.

RESOLVED: That planning application 2023/0471/FUL relating to Vicarage Barn, Southport Road, Ormskirk be refused for the reasons set out on page 421 of the Book of Reports and on pages 431 to 435 of the Late Information Report.

49 REPORT ON THE NEIGHBOURHOOD COMMUNITY INFRASTRUCTURE LEVY (NCIL) PORTION TO PARISH/TOWN COUNCILS 1ST APRIL 2023 TO 30TH SEPTEMBER 2023

Consideration was given to the report of the Corporate Director of Transformation, Housing and Resources as contained on pages 425 to 429 of the Book of Reports. The purpose of the report was to inform members of the allocation of the Neighbourhood Community Infrastructure Levy (NCIL) portion of funding to Parish/Town Councils from revenue collected by the Council from 1st April 2023 to 30th September 2023, which was as a result of some new developments within the Borough.

Members were informed that the report was the first of similar future reports to be provided to Planning Committee for its information on a biannual basis.

RESOLVED: That the contents of the report be noted.

.....
Chairman



Report of: Corporate Director of Transformation, Housing, and Resources

Contact for further information: Ms. S Lewis (Extn. 5027)
(e-mail: sharon.lewis@westlancs.gov.uk)

SUBJECT: Procedure for Dealing with Employment Related Appeals against Dismissal or Demotion in all applicable Policies.

Wards affected: Borough-wide.

1.0 PURPOSE OF THE REPORT

- 1.1 To agree to a revision to the appeal arrangements for employment-related appeals matters.

2.0 RECOMMENDATIONS TO COUNCIL

- 2.1 That the revised appeal process as detailed in the attached Appendix (i) be approved, published on the Council's website, and amended in the Constitution.

3.0 BACKGROUND

- 3.1 As part of the HR & OD Review part of the Our Futures project, HR and OD services have been reviewing a number of policies and procedures, as an ongoing review of existing policies and procedures, to ensure they are still fit for purpose and in line with good practice.
- 3.2 There are a number of employment policies and procedures that can result in the dismissal or demotion of an employee. These are primarily, Disciplinary Policy, Capability and Performance Policy, Sickness Management Policy, and selection for redundancy in accordance with the Organisational Change Policy.
- 3.3 Currently each of these policies has its own appeals process.
- 3.4 This essentially provides for a right of appeal to Senior Manager/Head of Service for sanctions issued that are short of dismissal or demotions. However, any

sanction of dismissal or demotion must be referred to the Employment Appeals Sub Committee.

4.0 Proposals

- 4.1 Given the changes to the governance arrangements for the Council and moving into a committee structure rather than a cabinet structure, it is considered an appropriate time to review the function of the Employment Appeals Sub Committee.
- 4.2 This forum is called when required. In truth, the volume of appeals is less than two per year on average, with some years having no appeals.
- 4.3 The Employment Appeals Sub Committee as it currently stands has three members, a Legal Service Officer, a HR Officer, and a Democratic Services Officer in attendance as the Committee Panel.
- 4.4 The coordination of setting setup of dates in members' diaries and the time commitment of an Appeal Hearing (which is usually scheduled for a full day), can be time consuming and difficult to administer.
- 4.5 This results in significant delays from the time an employee appeals the decision to when the Employment Appeal Sub Committee Hearing takes place. Given that the employee is usually in a no pay situation during this time, this delay is not recommended for good employment practice.
- 4.6 A number of neighbouring authorities including the County Council, have moved away from member Employee Appeals Sub Committees, and moved to Senior Officer Appeals Panels. This is to reduce the burden on members' time, reduce the potential delays in decisions, and to ensure that decision making on employment matters is consistent and in line with agreed management practice.
- 4.9 It is therefore proposed the update and streamline the appeal process for employment related matters and the proposed amended structure is attached at Appendix (i).

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 There are no significant sustainability impacts associated with this report and no significant impact on crime and disorder.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The proposed appeals process changes will not have any direct effect on the budgetary position of the Council.

7.0 RISK ASSESSMENT

- 7.1 The actions referred to in this report will be covered by the scheme of delegation to officers, when updated and any necessary changes have been made in the relevant risk registers.

8.0 HEALTH AND WELLBEING IMPLICATIONS

8.1 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

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is required, and a formal assessment is attached as Appendix (ii) to this report, the results of which have been considered in the Recommendations contained within this report.

Appendices

Appendix (i) – Revised Procedure for Dealing with Employment Related Appeals against Dismissal or Demotion in all applicable Policies.

Appendix (ii) - Equality Impact Assessment



West Lancashire Borough Council

Procedure for Dealing with Employment Related Appeals against Dismissal or Demotion in all applicable Policies.

Owner / Job Title	Sharon Lewis, Human Resources and Organisational Development Manager
Service Area	Human Resources and Organisational Development
Group / Persons consulted	CMT/Trade Unions/Council
Version	1
Issued Date	December 2023
Review by Date	December 2025

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1. Introduction

The employment policies that can potentially result in the dismissal or demotion of an employee are disciplinary policy and procedure, capability /performance policy, management of sickness absence policy and organisational change policy selection for redundancy.

This process details the route by which these primary decisions to dismiss or demote can be appealed by the individual employees subject to the decisions. This applies to all Council employees with the exception of Chief Officers and those in statutory roles that are governed by processes detailed in the constitution.

2. Appeals Hearing Officers Roles

An employee who wishes to appeal against a disciplinary, capability, performance, sickness management or selection for redundancy decision, at whatever level of sanction short of dismissal or demotion, because they believe it to be wrong, unfair, or unjust must write to the Head of Service or Corporate Director and the Human Resources and Organisational Development Team, or as appropriate for the level of action being delivered to the employee.

The appeal must set out the grounds for appeal and be received within **ten working days** of the employee's receipt of the written confirmation of the decision and level of action to be taken.

Except in cases where they dealt with the matter initially, the Head of Service or Corporate Director or Chief Operating Officer (or other nominated officer) will hear all appeals, as appropriate, based on the level of action being taken and their decision will be final.

Appeals against dismissal will always be heard by Chief Operating Officer or Corporate Director accompanied by a HR&OD Officer and a Legal Services Officer.

3. Possible Outcomes for an Appeal

An appeals hearing may uphold an appeal, substitute a lesser sanction, confirm the action taken, or in exceptional circumstances, may issue a higher level of sanction (unless the original decision is a dismissal).

If a decision to dismiss is overturned, an employee will be reinstated immediately and be paid for any period between the date of the original summary dismissal and the successful appeal decision.

An employee's continuous service will not be affected. Appeals against dismissal taken by the Corporate Director, will be heard by the Chief Operating Officer.

The decision of the employment appeals hearing will be full and final, and no other appeal will be available within the Council.

4. Officers Authorised to Issue Warnings and Conduct Appeal Hearings in relation to Disciplinary Matters

Level of Sanction	Designated Hearing Officer	Designated Officer to Whom Appeals are made
Corrective Guidance letter (Not formal Sanction)	Line Manager	No Appeal
First Written Warning	Line Manager	Senior Manager*
Final Written Warning	Senior Manager*	Head of Service
Action Short of Dismissal including Demotion	Head of Service	Corporate Director
Summary Dismissal	Head of Service/Corporate Director	Corporate Director /Chief Operating Officer

*Senior Manager = 3rd tier or above

5. Officers Authorised to Issue Warnings and Conduct Appeal Hearings in relation to Capability/Performance Matters

Level of Sanction	Designated Hearing Officer	Designated Officer to Whom Appeals are made
Corrective Guidance letter (Not formal sanction)	Line Manager	No Appeal
Stage One (First Written Warning)	Line Manager	Senior Manager*
Stage Two (Second Written Warning)	Line Manager	Senior Manager*
Stage Three (Final Written Warning)	Senior Manager*	Head of Service
Stage Four Summary Dismissal or Demotion	Head of Service/Corporate Director	Corporate Director /Chief Operating Officer

*Senior Manager = 3rd tier or above

6. Officers Authorised to Issue Warnings and Conduct Appeal Hearings in relation to Sickness Management Matters – Short Term Repeated Absence

Level of Sanction	Designated Hearing Officer	Designated Officer to Whom Appeals are made
Return to Work Interview (Not formal sanction)	Line Manager	No Appeal
Stage One	Line Manager	Senior Manager*
Stage Two	Line Manager	Senior Manager*
Stage Three (Attendance Hearing)	Head of Service	Corporate Director
Stage Four Summary Dismissal or Demotion	Head of Service/Corporate Director	Corporate Director /Chief Operating Officer

*Senior Manager = 3rd tier or above

7. Officers Authorised to Issue Warnings and Conduct Appeal Hearings in relation to Sickness Management Matters – Long Term Absence

Level of Sanction	Designated Hearing Officer	Designated Officer to Whom Appeals are made
Case Review	Head of Service	No Appeal
Attendance Hearing	Head of Service/Corporate Director	Corporate Director/Chief Operating Officer

8. Officers Authorised to Issue notice of being At Risk of Redundancy and Appeal Process

Level of Sanction	Designated Hearing Officer	Designated Officer to Whom Appeals are made
Declare employee at Risk of Redundancy	Head of Service	Corporate Director/Chief Operating Officer

9. Hearings and Appeals Protocol for appeals against sanctions lower than dismissal.

The procedure to be followed at a Disciplinary, Capability, Performance, Sickness, hearing, or appeal is as follows:

- 9.1 An Appeal is a re-hearing of a case at the previous stage, excluding consideration of any allegations that were not proven. Where the facts of a case are not in dispute and there are no procedural issues arising from the conduct of the original hearing, but only the severity of the penalty is at point, both sides may agree on a statement of facts to be jointly submitted in evidence. In such circumstances, it may be appropriate for the normal order of the hearing to be reversed and for the employee to present their case first.

- 9.2 The Appeal Hearing will be administered and arranged by The HR & OD Team. The HR &OD Team will administer all the documentation associated with the Appeal Hearing. The presenting manager will be required to produce a covering summary of the case and ensure all material that is to be relied upon is present in the papers presented.
- 9.3 New evidence may only be introduced where it is significant to the case and was not previously available to either side. In such situations, the evidence must be disclosed at the earliest opportunity and normally at least five working days before the appeal hearing. If new evidence is produced, at the request of either side, the appeal may be adjourned to enable further investigation and a review of the original decision to take place.
- 9.4. Usual practice would be for the Hearing Officer to introduce those present and confirm the purpose of the hearing.
- 9.5 The management representative(s) (who is usually the officer who heard the original hearing) shall present the case in the presence of the employee and their representative and may call witnesses to provide evidence.
- 9.6 The employee, or their representative or companion, will then have an opportunity to ask questions of the management representative(s) on the evidence provided by them and any witnesses called.
- 9.7 The Hearing Officer will then have an opportunity to ask questions of the management representative(s) and any witnesses called.
- 9.8. The employee, or their representative or companion, shall present their case in the presence of the management representative(s) and may call witnesses to provide evidence.
- 9.9 The management representative(s) will then have an opportunity to ask questions of the employee and any witnesses called by the employee.
- 9.10 The Hearing Officer will then have an opportunity to ask questions of the employee and any witnesses called by the employee.
- 9.11 The management representative(s) and the employee, or their representative or companion, will then have the opportunity to sum up, their case.
- 9.12 No new evidence may be introduced by either party at this stage.
- 9.13. The management representative(s) and the employee and their representative or companion, together with any witnesses, will then withdraw from the proceedings.
- 9.14 The Hearing Officer will then deliberate in confidence. The HR and Legal Advisor will be present during deliberations to assist the

hearing officer but will not be the decision makers. If it is necessary to recall one or other of the parties to clarify any evidence provided, both parties will return to the hearing, notwithstanding that only one party may be concerned with the evidence requiring clarification.

- 9.15 The hearing officer will endeavour to announce their decision either orally on the day in person or by telephone, or in writing at a later date, as may be determined. If more time is required, the parties will be notified before the close of business and be provided with an estimated day upon which the decision will be confirmed.
- 9.16 The decision of the hearing officer, including an oral decision, will be confirmed in writing, within five working days of the hearing, or appeal, along with confirmation of an employee's right of appeal.
- 9.17 Please note that if this is appeal hearing, there is no further right of appeal as the appeal decision is final.

10 Protocol for Appeals Following a decision to Dismiss or Demote an Employee from employment.

- 10.1 The dismissal appeal hearing will consider an appeal for dismissal or demotion or a sanction lesser than dismissal when it cannot be heard by a Head of Service or the Corporate Director because they may have had prior involvement in the case at the hearing stage. The hearing officer and decision maker will be the Corporate Director or Chief Operating Officer.
- 10.2 The HR & OD Manager (or nominated officer), a Council Solicitor representing the Council will attend the dismissal appeal hearing to advise where necessary on employment issues, procedural and legal matters and to take notes of the hearing, respectively.
- 10.3 The remit of the dismissal appeals hearing is to consider the detail of an appeal lodged by an employee against any formal disciplinary/capability/performance/sickness management or redundancy decision to dismiss. The dismissal appeal hearing may dismiss the appeal, uphold the appeal, or allow the appeal in part by substituting a lesser sanction.
- 10.4 Appeals are a re-hearing of a case at the previous stage, excluding consideration of any allegations that were not proven. Where the facts of a case are not in dispute and there are no procedural issues arising from the conduct of the original hearing, only the severity of the penalty is at issue. Both sides may agree on a statement of facts to be jointly submitted in evidence. In such circumstances, it may be appropriate for the normal hearing order to be reversed and for the employee to present their case first. The hearing officer of the dismissal appeal hearing will determine when this should occur.

- 10.5 New evidence may only be introduced where it is significant to the case and was not previously available to either side. In such situations, the evidence must be disclosed to the management or the employee and the HR and Legal officers at the earliest opportunity and normally at least five working days prior to the appeal hearing. If new evidence is produced at the request of either side, the appeal may be adjourned to enable further investigation and a review of the original decision to take place.
- 10.6 Notification of the Appeal - The Human Resources & Organisational Development Team will confirm the arrangements for the appeal in writing with the employee. The letter will normally be hand delivered or sent by recorded delivery.
- 10.7 The dismissal appeal hearing will endeavour to consider the appeal within twenty-five working days from receipt of the letter confirming the employee's wish to appeal.
- 10.8 Exchange of papers- Both parties must submit a written statement of the case 10 working days before the appeal hearing. The statement of case will then be circulated not later than five working days before the date of the dismissal appeal hearing. The hearing officer may only accept submissions of documents on time.
- 10.9 Employee must submit a written statement of the case, with a reasonable explanation for appealing the decision of the original hearing. If this is not provided the appeal may be dismissed.
- 10.10 An employee's statement of the case should contain the following:
- The grounds for the appeal.
 - Copies of any evidence that will be submitted to support an employee's case.
 - The reason(s) why the appeal should be upheld.
- 10.11 Management's statement of the case should contain the following:
- Details of the background to the case.
 - A record of the disciplinary/capability/performance /sickness management hearing, including copies of witness statements or other evidence as applicable. Or redundancy selection criteria used to declare the employee at risk.
 - The reason(s) why decision to dismiss was taken.
 - The reason (s) why the appeal should be dismissed.

11. Procedure to be followed at the Dismissal or Demotion Appeal Hearing

- 11.1 Each party will provide an oral submission which outlines and supports the arguments put forward in their respective statement of the case. Normally the oral presentation will be made in the following order, but this may be varied at the discretion of the Hearing Officer:
- 11.2 The management representative(s) will present the management's case and call witnesses as appropriate.
- 11.3 An employee will be entitled to be accompanied by a Trade Union representative or work colleague at all disciplinary appeals. This is known as the employees companion. The companion will be present and may present an employee's case, call witnesses, observe proceedings, and advise an employee. But they cannot answer questions on an employee's behalf. There will be no right to external legal representation in any internal appeal proceedings.
- 11.4 Following each presentation, the hearing officer and HR&OD and Legal Services Officers will have the opportunity to ask questions of either party. In addition, either party can ask questions about the other party's presentation.
- 11.5 When a witness has presented their statement, questions may be asked by the hearing officer and HR&OD and Legal Services Officers, by management representative(s) and by the employee or their companion.
- 11.6 The management representative(s) and the employee, or their companion, will then have the opportunity to sum up, their case.
- 11.7 Either party may not introduce any new evidence at this stage.
- 11.8 The management representative(s) and the employee and their companion, together with any witnesses, will withdraw from the proceedings.
- 11.9 The dismissal appeal hearing officer will then deliberate in confidence. The HR and Legal Advisor will be present during deliberations to assist the hearing officer but will not be the decision makers. If it is necessary to recall one of the parties to clarify any evidence provided, both parties will return to the hearing, notwithstanding that only one party may be concerned with the evidence requiring clarification.
- 11.10 An adjournment may be called at the discretion of the hearing officer at any time during the appeal.

- 11.11 The decision of the dismissal appeal hearing, including the oral decision, will be confirmed in writing, normally within five working days of the appeal. If more time is required, the parties will be notified before the close of business and be provided with an estimated day upon which the decision will be confirmed.
- 11.12 Please note: The hearing officer may adjourn the proceedings at any stage if appropriate. If the adjournment enables additional information to be gathered, the hearing officer will specify the nature of the information required. Any adjournment will be for a stated period determined by the hearing officer.
- 11.13 Witnesses will be required to be on-call throughout the proceedings but will only be present for some appeals.
- 11.14 Where witnesses are called to provide evidence at an appeal, the Council reserves the right to conceal the identity of any or all of the witnesses if there is a legitimate reason to do so, e.g., where there is a potential risk to the safety of witnesses if their identity is disclosed. In these circumstances, the Council will consider providing a summary of the information to an employee and their chosen representative or companion. The fact that this information has not been open to cross examination will be acknowledged and taken into consideration in any decision making upon which this evidence is relied upon.

Equality Impact Assessment Form



Directorate: Transformation, Housing and Resources	Service: Corporate and Customer Services
Completed by: S Lewis	Date: December 2023
Subject Title: Employment Related Appeal Process	
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)?	Yes
Details of the matter under consideration:	The Appeals Process for Employment related appeals in relation to sickness absences, performance, capability, disciplinary and redundancy matters which end in dismissal or demotion of the employee.
<i>If you answered Yes to any of the above, go straight to Section 3</i> <i>If you answered No to all the above, please complete Section 2</i>	
2. RELEVANCE	
Does the work be carried out impact on service users, staff, or Councillors (stakeholders):	Yes <i>*Delete as appropriate</i>
If yes , provide details of how these impacts on service users, staff, or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	This report has an impact on the workforce.
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 Process has an impact on the entire Council workforce and as such has an impact on all protected characteristics, as the Council's

	<p>workforce comprises of all the protected characteristics.</p> <p>A knowledge of the existing workforce profile and equality policies within the Council that are applied to the workforce, including the Recruitment and Selection Policy, Equality in Employment Policy, and all other related employment policies, including equality pay audits.</p>
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any group affected more than others)?	See Above.
Which of the protected characteristics are most relevant to the work being carried out?	<i>*Delete as appropriate</i>
<p>Age</p> <p>Gender</p> <p>Disability</p> <p>Race and Culture</p> <p>Sexual Orientation</p> <p>Religion or Belief</p> <p>Gender Reassignment</p> <p>Marriage and Civil Partnership</p> <p>Pregnancy and Maternity</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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?	The Process has an impact on the entire Council workforce and as such has an impact on all protected characteristics.
What will the impact of the work being carried out be on usage/the stakeholders?	The appeals process details which forums will be responsible for hearing and deciding upon employment related appeals as in accordance with Policies that may result in the dismissal or demotion of a member of staff.
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?	The Council is part of a collective bargaining process for all its policies and procedures. The recognised trade unions, Unison and GMB have been consulted upon these proposals. They have not raised any equality related matters but did raise a concern that they thought there was a proposed power imbalance in relations to Hearing Officers being provided with Legal Service advice, whilst an employee had not got the ability to bring in their own legal representation. It has been highlighted to the trade unions that neither Legal or HR

	have any decision-making power in the appeal hearing and that under member committee this same Legal and HR advisory provision existed, so in essence there is no change to the current advice arrangements.
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?	Census Data Profile information available on the Council's website Workforce Profile Equality Policies within the Council Equal Pay Audit Gender Pay Gap analysis
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 protected characteristics (either positively or negatively or in terms of disproportionate impact)?	The decision is to agree the changes from an employment appeals committee to a single officer appeal hearing. It is envisaged that there will be no impact, negative or positive, upon any group with protected characteristics.
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.).	See above in 5.
What actions do you plan to take to address any other issues above?	No further actions on equality impact need to be taken.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The Process will be reviewed periodically. At this time, the EIA will also be reviewed to ensure there has been no change to the assessed impact on any protected characteristic group.



EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE: 9 November 2023

CABINET: 21 November 2023

COUNCIL: 13 December 2023

Report of:	Head of Finance, Procurement and Commercial Services
Relevant Portfolio Holder:	Councillor Rob Molloy
Contact for further information:	Jonas Smith (ext 5093) E-mail: jonas.smith@westlancls.gov.uk
	Peter Quick (ext 5203) E-mail: peter.quick@westlancls.gov.uk

SUBJECT: 2023/24 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 2023/24 financial year at quarter 2.

2.0 RECOMMENDATIONS TO:

EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 2.1 That the 2023/24 GRA position be noted and any comments forwarded to Cabinet for consideration.

TO CABINET

- 2.2 That the 2023/24 GRA position be noted and endorsed.

TO COUNCIL

- 2.3 That the 2023/24 GRA position be noted.

3.0 BACKGROUND

- 3.1 In February 2023, Council agreed the 2023/24 GRA Net Budget of £16.327m.

3.2 September 2023 cpi remains high at 6.7% This means there is likely to be ongoing contract inflation pressures to fund or manage in-year and beyond. In addition, the 2023/24 pay offer has been made at £1,925 per full time employee. Although no agreement has been reached on this yet, this is in excess of the 3% budgeted and will therefore be a pressure in the current year of approximately £500k.

4.0 GENERAL REVENUE ACCOUNT: QUARTER 2 POSITION

4.1 The table below provides quarter 2 forecast outturn estimates against the latest revised budget. The Q2 net forecast position is a shortfall of £524K. Further details are provided below. This compares to the forecast at Q1 of a £583k shortfall.

	FY Bud £000's	Q1 FY Var £000's	Q2 FY Var £000's	Commentary
Corporate & Customer Services	5,583	-400	-600	Mainly ICT costs Salaries also below budget after uplift and vacancy factor
Environmental Services	6,669	587	600	Mainly staff & agency costs, partially offset by fuel costs below budget
Finance Procurement & Commercial Services	1,592	50	125	Additional use of agency staff due to sickness absence & y/e £60k savings target – additional income/efficiencies across WLBC
Housing Services (incl. Estates)	-879	0	-20	
Legal & Democratic Services	1,128	50	110	Staff & agency costs, plus costs of new governance structure
Planning & Regulatory Services	1,818	100	200	Staff & agency costs, Planning & Building Control income
Wellbeing & Place Services	1,520	408	350	Leisure Contract. Staff costs, pay settlement. Parking income down.
Other Corporate Budgets	501	0	0	
Total Net Service Budgets	17,932	795	765	
Interest Receivable (net)	-225	-212	-241	Rising interest rates.
Minimum Revenue Position	400	0	0	
Contribution to/from reserves	-1,780	0	0	
Total Net Budget	16,327	583	524	3.2% of budget. Estimated pay settlement shortfall £0.5m
GRA Net Funding	-16,327	0	0	

- 4.2 Overall budget pressure primarily relates to the provisional pay settlement of £1,925 per full time employee. Budgets were set assuming a 3% increase, the current offer is closer to 6% on average. Negotiations are ongoing so it is possible that the settlement may increase further.
- 4.3 At service level there are various additional service-specific pressures as identified in the table above, these are largely offset by service-specific budget savings plus treasury interest income being better than budget due to rising interest rates.
- 4.4 As advised in quarter one, the 2023/24 staff vacancy factor has been moved from the central corporate pot where it was held for many years, and is now split proportionally between each service. This is expected to support closer operational monitoring and control of both Service staff costs and Service vacancies.
- 4.5 It was reported in 2022/23 that agency staff were being used to help fill vacant posts, so maintaining service delivery. The use of agency staff is being closely monitored in 2023/24 with the intention of reducing reliance on this type of staff.
- 4.6 Savings proposals are currently being drafted in order to address the budget gap within the Medium-Term Financial forecast. These will be built into budgets for 2024/25 and will comprise a combination of one-off and recurring measures to reduce expenditure and increase income where possible.

5.0 SUSTAINABILITY IMPLICATIONS

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

6.0 RISK ASSESSMENT

- 6.1 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.

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.

42 **Q2 GRA REVENUE & MTFS UPDATE**

The Head of Finance, Procurement and Commercial Services introduced the report as contained in the Book of Reports of the supplementary agenda which provided a summary of the General Revenue Account (GRA) position for the 2023/24 financial year at quarter 2.

RESOLVED: That the 2023/2023 GRA position be noted.

131 **Q2 GRA REVENUE & MTFS UPDATE**

Councillor R Molloy introduced the report of the Head of Finance, Procurement & Commercial Services, which provided a summary of the General Revenue Account (GRA) position for the 2023/24 financial year at quarter 2.

The Minute of the Executive Overview & Scrutiny Committee 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 2023/24 GRA position be noted and endorsed.



**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:**
9 November 2023

CABINET: 21 November 2023

COUNCIL: 13 December 2023

Report of: Head of Finance, Procurement and Commercial Services

Relevant Portfolio Holder: Councillor R. Molloy

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

SUBJECT: REVISED CAPITAL PROGRAMME

Wards affected: Borough Wide

1.0 PURPOSE OF REPORT

1.1 To agree a Revised General Revenue Account (GRA) Capital Programme for 2023/24 and provide an update on progress on capital schemes.

2.0 RECOMMENDATIONS

2.1 That the revised Capital Programme, including budget adjustments and re-profiling contained within Appendix A and B, be approved.

2.2 That progress against the Revised Capital Programme at the mid-year point be noted.

3.0 BACKGROUND

3.1 The Capital Programme is set on a three-year rolling basis and the Programmes for 2023/2024, 2024/2025 and 2025/2026 were approved by Council in February 2023.

3.2 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.

- 3.3 Members are kept informed of the financial position of the Capital Programme through monitoring reports. The Housing Public Sector programme is the subject of a separate report elsewhere on the agenda and will be also presented to this Cabinet meeting. This report concentrates on the GRA programme.

4.0 REVISED CAPITAL PROGRAMME

- 4.1 The original Capital Programme that was set for the 2023/2024 financial year together with underspends brought forward from the previous financial year totals £13.971m of which £3.448m is funded by Capital Receipts as shown in Appendix A - Funding of Capital Programme.

- 4.2 Heads of Service have reviewed their respective schemes and are now proposing that changes are made as a result of more up to date information that has become available. This review process has incorporated a number of considerations including:

- Re-profiling of schemes to match the anticipated timing of spending.
- Increasing expenditure budgets to reflect new and / or additional external funding

- 4.3 The proposed changes to the 2023/24 Programme are analysed in Appendix C. This shows a net decrease of £7.754m largely due to the following

- Restructuring Costs - £152k
- Capitalise revenue transformation costs - £300k
- Burscough Sports Centre - £396k
- Affordable Housing - £247k
- Skelmersdale Town Centre - £3.258m
- Play Strategy Improvements – £315k
- Leisure Centre Projects (CIL funded) - £1.561m
- UK Shared Prosperity Fund - £254k

The revised GRA Capital Programme totals £6.187m for 2023/24 following these changes.

- 4.4 There is a new bid for £80K for a replacement Webaspx system that has been requested to be added to the Capital Programme.

5.0 CAPITAL EXPENDITURE

- 5.1 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.

- 5.2 For the current year, £2.674M (19.4%) of total expenditure has been incurred by the midyear (before capital Re-profiling). A substantial amount of this is due to spend on the Leisure Centres (£1.096M), Disabled Facilities Grants (£790k) and the Cycle Trail at Cheshire Lines (£436k).

Although the Electric Charging points has an overspend of £19k and the Cycle Trail at Cheshire Lines has an overspend of £8k pf a grant will be applied for and is expected to be received.

Comparisons to previous years' programmes comparing schemes funded by Capital Receipts are shown in **Table 1**. The expenditure against budget before and after re-profiling is analysed in Appendix B – 2023/24 Revised Capital Programme Spend to Date against Budget.

Table 1: GRA Capital Expenditure funded by Capital Receipts against Budgets			
Year	Expenditure £m	Budget £m	% spend against Budget
2023/2024	0.331	3.448	10%
2022/2023	0.534	4.723	11%
2021/2022	0.630	3.665	17%
2020/2021	2.085	7.087	29%
2019/2020	0.998	5.175	19%
2018/2019	1.908	7.128	27%
2017/2018	0.455	2.634	17%

6.0 CAPITAL RESOURCES

- 6.1 There are sufficient resources identified to fund the 2023/24 Revised Capital Programme as shown in Appendix A.
- 6.2 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.
- 6.3 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 the mid-year point 19 sales had been completed with a sales value of £0.935m and the targets for the year are expected to be met.

6.4 The Council is allowed to keep all capital receipts from Right to Buy sales for 2022/23 and 2023/24 on the condition that they are utilised only for projects within the HRA. Receipts from prior years are still allowable for GRA projects as set out in 4.1.

7.0 SUSTAINABILITY IMPLICATIONS

7.1 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.

8.0 RISK ASSESSMENT

8.1 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. Schemes within the 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.

9.0 HEALTH AND WELLBEING IMPLICATIONS

9.1 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 Funding of Capital Programme
- B 2023-2024 Revised Capital Programme Spend to Date Against Budget.
- C Capital Re-profiling and Significant Variances
- D Minute of Executive Overview & Scrutiny Committee (Cabinet & Council only)
- E Minute of Cabinet (Council only)

APPENDIX 1: GRA CAPITAL PROGRAMME 2023/24 - 2025/26

Service	Capital Scheme	New Capital Bid December 2023	Total Budget	2023/24					total spend	Remaining Budget	2024/25				2025/26				
				Q1 Actual Spend	Q2 Actual Spend	Q3 Forecast	Q4 Forecast	Recurring and Continuation of Schemes			Approved Budget Feb 2022	Slippage from 2023/24	New Capital Bids Feb 2023	Total Budget	Recurring and Continuation of Schemes	New Capital Bids Feb 2023	Total Budget		
				£'000	£'000	£'000	£'000	£'000			£'000	£'000	£'000	£'000	£'000	£'000	£'000		
Corporate and Customer Services	Etarmis System		£17	£0		£17		£17	£0										
Corporate and Customer Services	ICT Infrastructure		£150			£7	£143	£150	£0	£50				£50	£50				£50
Corporate and Customer Services	ICT Development Programme		£623				£623	£623	£0	£200				£200	£200				£200
Corporate and Customer Services	Website		£20				£20	£20	£0										£0
Corporate and Customer Services	CRM System		£67				£67	£67	£0										£0
Corporate and Customer Services	Right Kit Right Role Right Refresh - support agile working		£96				£96	£96	£0										£0
Corporate and Customer Services	Microsoft Enterprise Site Licence		£66			£66		£66	£0										£0
Corporate and Customer Services	Corporate wifi upgrade		£85				£85	£85	£0										£0
Corporate and Customer Services	Website development		£200				£200	£200	£0										£0
Corporate and Customer Services	Communication devices		£40			£40		£40	£0										£0
Corporate and Customer Services	Invest to Save Digital Services		£59				£59	£59	£0										£0
Corporate and Customer Services	Egress Secure Email & File Transfer		£0					£0	£0										£0
Corporate and Customer Services	Digital Transformation - Implementation of IT Strategy		£218				£218	£218	£0										£0
Corporate and Customer Services	Less HRA funding for Strategy		(£200)				(£200)	(£200)	£0										£0
Corporate and Customer Services	Hybrid, Remote and Streaming Council Meetings		£92				£92	£92	£0										£0
Corporate and Customer Services	Mastercard Gateway Upgrade		£7				£7	£7	£0										£0
Corporate and Customer Services	Microsoft M365 Phase 3		£100			£100		£100	£0										£0
Corporate and Customer Services	Digital innovation and the continued development of ServiceNow		£80				£80	£80	£0										£0
Corporate and Customer Services	Shop Front Improvement Fund		£50					£0	£50			£50		£50					£0
Corporate and Customer Services	Digital Transformation		£6					£0	£6										£0
Environmental Services	Culvert Debris Screens		£2				£2	£0	£0										£0
Environmental Services	Purchase of Vehicles		£2					£0	£2										£0
Environmental Services	Purchase of Wheelie Bins		£0					£0	£0										£0
Environmental Services	Expand in Cab System		£1					£0	£1										£0
Environmental Services	Waste Collection Projects		£0					£0	£0										£0
Environmental Services	Litter Bin Policy Review (Cabinet November 2019)		£62	£23	£5	£7	£10	£45	£17	£0	£30	£17		£47					£0
Environmental Services	Street Cleansing Tools		£0					£0	£0										£0
Environmental Services	Liverpool Road Cemetery		£1				£1	£1	£0										£0
Environmental Services	Waste Management Service		£35					£0	£35			£35		£35					£0
Environmental Services	Glutton Vacuum Cleaner		£0					£0	£0										£0
Environmental Services	Becconsall Closed Church Yard		£30					£0	£30			£30		£30					£0
Environmental Services	Tree Management		£100				£10	£10	£90			£90		£90					£0
Environmental Services	Culvert Management		£30				£30	£30	£70			£70		£70					£0
Environmental Services	Replace faulty domestic bins		£19		£15	£4		£19	(£0)	£30				£30					£0
Environmental Services	Littering T&F 23/24		£23	£1	£3		£8	£13	£10										£0
Environmental Services	Street Recycling Bins 23/24		£10		£6		£4	£10	£0										£0
Environmental Services	Free Trees		£23			£5		£5	£18			£18		£18					£0
Environmental Services	Conservation Area Enhancement		£12					£0	£12			£12		£12					£0
Environmental Services	Abbey Lake Quarry		£0					£0	£0										£0
Environmental Services	Mill Dam Lane		£2			£2		£2	(£0)										£0
Environmental Services	Alder Lane		£5			£5		£5	£0										£0
Environmental Services	Electric Vehicle Charging point		£0		£19			£19	(£19)										£0
Environmental Services	Webaspx System		£80				£80	£80	£0										£0
Finance Procurement and Commercial Services	Parish Capital Schemes		£31	£1	£0		£30	£31	(£0)	£30				£30	£30				£30
Finance Procurement and Commercial Services	Restructuring Costs		£152					£0	£152			£152		£152					£0

Notes
we have signed contract with HFX and the new system Impergo starting implementation in october
Delayed as dependant on Lancashire County Council Negotiations
Delayed as dependant on Lancashire County Council Negotiations
Delayed as dependant on Lancashire County Council Negotiations
Delayed as dependant on Lancashire County Council Negotiations
Delayed as dependant on Lancashire County Council Negotiations
Delayed as dependant on Lancashire County Council Negotiations
awaiting a contract award awaiting this going out to tender currently with procurement could potentially give this up to savings or it could be used for right kit right role
Delayed as dependant on Lancashire County Council Negotiations
plan is not to require all of this, looks like only 50k only needed not yet confirmed
this is be looked into further as the task and finish groups for this have been disbanded and this project is on hold.
This project is no longer going ahead and will be released back to the pot
release no longer required
release no longer required
The £5k that is in recurrence of schemes is not required in 2023/24 so has been removed
White Paper has been released now awaiting LCC
This is with legal and hopefully won't be needed
with procurement as at present awaiting quotes for a consultant, 1st quote is £30k
£0k will be given back to the pot as agreed with the budget manager
Currently looking at places that these could be stored and residents could collect from , looking to re-profile 18k to 2024/25
This project has been confirmed as complete with the budget manager and the £20k is no longer needed and has been released back for other projects
This has been funded by an external grant
These are 2 year schemes we expect to spend most in Q4
These schemes are to be identified as part of 2023/24 budget setting and the exploration of the use of flexible capital receipts in line with guidance

APPENDIX B - 2023/2024 CAPITAL PROGRAMME
SPEND TO DATE AGAINST BUDGET BEFORE RE-PROFILING

Service	Budget Approval	Spend to date		Budget remaining
	£000	£000	%	£000
Corporate and Customer Services	1,777	0	0%	1,777
Environmental Services	426	73	17%	353
Finance Procurement and Commercial Services	966	121	13%	845
Housing Services	2,051	855	42%	1,197
Planning and Regulatory Services	276	21	8%	255
Wellbeing and Place Services	8,474	1,605	19%	6,870
Total	13,971	2,674	19%	11,297

SPEND TO DATE AGAINST BUDGET AFTER RE-PROFILING

Service	Budget Approval	Spend to date		Amount left
	£000	£000	%	£000
Corporate and Customer Services	1,721	0	0%	1,721
Environmental Services	141	73	52%	68
Finance Procurement and Commercial Services	499	121	24%	378
Housing Services	1,690	855	51%	836
Planning and Regulatory Services	256	21	8%	235
Wellbeing and Place Services	1,879	1,605	85%	274
Total	6,187	2,674	43%	3,512

APPENDIX C- CAPITAL RE-PROFILING FOR INDIVIDUAL SCHEMES - 2023/2024

	£'000	£'000	Notes
		13,971	
<u>Corporate and Customer Services</u>			
			this is be looked into further as the task and finish groups for this have been disbanded and this project is on hold.
Shop Front Improvement Fund	50		
Corporate and Customer Services Total		50	
<u>Environmental Services</u>			
Litter Bin Policy Review	17		
Waste Management Service	35		White Paper has been released now awaiting LCC
Beaconsall Closed Church Yard	30		This is with legal and hopefully won't be needed
Tree Management	90		This is procurement at present for tender, the project is now planned to start in 2024/25
Culvert Management	70		awaiting quotes for a consultant, 1st quote is £30k
			Currently looking at places that these could be stored and residents could collect from ,
Free Trees	18		looking to re-profile 18k to 2024/25
Conservation Area enhancement	12		
Environmental Services Total		272	
<u>Finance Procurement and Commercial Services</u>			
Restructuring Costs	152		
Capitalise revenue transformation costs.	300		
Building Compliance on Commercial Property	15		surveys in 24/25 after work complete
Finance Procurement and Commercial Services Total		467	
<u>Planning and Regulatory</u>			
Planning/building control and land charges system upgrades	20		
		20	
<u>Housing and Regulatory Services</u>			
Corporate Property	94		
Renovation Grants	20		
			£72K has been earmarked as a contribution to the Egerton project however none of this is expected to be spent in 2023/24. Plans are in place and project are being looked into how the rest of this budget can be utilised
Affordable Housing	247		
Housing and Regulatory Services Total		361	

Wellbeing and Place

Skelmersdale Town Centre	3258	
Play Strategy Improvements	315	This project is on hold awaiting the other leisure centres
Burscough Sports Centre	396	
Allotment Improvement	4	
Tawd Valley	29	
Hesketh Avenue	40	
Nye Bevan	9	
Park Pool	10	
Whittle Drive (s106 Funded)	60	This will likely be spent in 2024/25 as planning permission needs to be applied for at present
Abbey Lakes	8	
Resurfacing of Blaguegate Lane (Grant)	160	The council still holds the 160k capital contribution from the CCG, however due to the CCG's disbanding discussions are still ongoing on the funding
Leisure Facilities Project	1561	The expenditure incurred on this scheme is being reviewed by officers and a report will be presented to members on completion of this work explaining the findings
Moor Street	171	
Ormskirk Cycle and Pedestrian improvements	95	
Skelmersdale Vision	11	
Economic Regeneration	5	
Skelmersdale Gateway Improvements	50	
Cycle Path (S106)	10	
Changing Places Facility	60	
UK Shared Prosperity Fund	254	
Ginnells	77	
Elmers Clough Improvements	2	
Wellbeing and Place Total	6,584	
Total of Re-profiling	6,217	7,754

Significant Variances not to be included in Re-profiling

Corporate and Customer Service

Digital Transformation

This is no longer required and will be released for other schemes -6

Environmental Services

Purchase of Vehicles

The rest of the outstanding amount is no longer required -2

Expand In Cab System

The rest of the outstanding amount is no longer required -1

Littering Task & Finish Group

This part is to be released back to Capital Receipts -10

Wellbeing and Place

Bowling Greens

This project is no longer going ahead and will be released back into the S106 pot	-11
<u>Total to be excluded</u>	-30
<u>Revised Capital Programme Total</u>	6,187

43 **Q2 GRA REVISED CAPITAL PROGRAMME**

The Principal Finance Business Partner introduced the report as contained in the Book of Reports on pages 33 to 38, the purpose of which was:

1. To agree A Revised General Revenue Account (GRA) Capital Programme for 2023/24; and
2. To provide and update on progress on capital schemes.

Appended to the report at Appendix A were details of the Funding of the Capital Programme. Appended to the report at Appendix B were details of the 2023-2024 Revised Capital Programme Spend to date Against Budget. Appended to the report at Appendix C were details of Capital Re-profiling and Significant Variances.

Comments and questions were raised in respect of:

- Corporate and Customer Services
- Planning and Regulatory Services
- Wellbeing and Place Services
- Review of Leisure Services
- Capital Resources (as referred to at paragraphs 6.3 and 6.4 of the report)
- Changing Places Facilities (as referred to at Appendix C of the report at page 46)

RESOLVED:

1. That the reported be noted; and
2. That clarification be sought regarding the issues raised at paragraphs 6.3 and 6.4; and at Appendix C, page 46 regarding Changing Places; and
3. That points of clarification relating to paragraphs 6.3 and 6.4 and Changing Places will be circulated to the Committee following the meeting.

132 **Q2 GRA CAPITAL MONITORING REPORT**

Councillor R Molloy introduced the report of the Head of Finance, Procurement & Commercial Services, which sought agreement of a Revised General Revenue Account (GRA) Capital Programme for 2023/24 and provided an update on the progress of capital schemes.

The Minute of the Executive Overview & Scrutiny Committee had been circulated prior to the meeting.

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

- RESOLVED:
- A. That the revised Capital Programme, including budget adjustments and re-profiling contained within Appendix A and B to the report, be approved.
 - B. That progress against the Revised Capital Programme at the mid-year point be noted.

- 6.3 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 mid-year there were 19 sales with a total capital receipt of £0.935m. Around 50 right to buy sales are expected in year so the useable receipts are anticipated to be as budgeted.
- 6.4 Council approved in February 2023 that all right to buy receipts retained by the Council will be for HRA use from 2024/25. This proposal does not undo the commitments already included within the capital programme, so the non-Treasury Share of receipts for 2022/23 and 2023/24 will still be available to meet those projects previously planned to be financed as set out in 4.1. In addition, Government have advised that the Treasury Share can be retained by the HRA in 2022/23 and 2023/24. From 2024/25 the Treasury Share will again be paid to Government.



**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:**
9 November 2023

CABINET: 21 November 2023

COUNCIL: 13 December 2023

Report of: Head of Finance, Procurement and Commercial Services

Relevant Portfolio Holder: Cllr Rob Molloy

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

**SUBJECT: TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS Q2
MONITORING 2023-24**

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 2023/24 and to report on the Prudential Indicators, where available.

2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 2.1 That the report be considered and any comments submitted to the Finance Portfolio Holder in advance of the Council meeting on 13 December 2023.

3.0 RECOMMENDATIONS TO CABINET

- 3.1 To note the Treasury Management activity and Prudential Indicator performance for the first quarter of 2023/24.
- 3.2 To note and endorse the changes to the Prudential Indicators highlighted in section 9.3 for approval by Council in December 2023.

4.0 RECOMMENDATIONS TO COUNCIL

- 4.1 To note the Treasury Management activity and Prudential Indicator performance for the first quarter of 2023/24.
- 4.2 To approve the changes to the Prudential Indicators highlighted in section 9.3.

5.0 BACKGROUND

5.1 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.

5.2 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.

6.0 ECONOMICS UPDATE AND INTEREST RATE FORECAST

6.1 The first half of 2023/24 saw interest rates rise by a further 100bps, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle. A 0.5% m/m decline in real GDP in July, mainly due to more strikes. CPI inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7. Core CPI inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high. A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3myy growth of average earnings rose to 7.8% in August, excluding bonuses).

6.2 In its latest monetary policy meeting on 20 September, the Bank of England left interest rates unchanged at 5.25%. The weak August CPI inflation release, the recent loosening in the labour market and the downbeat activity surveys appear to have convinced the Bank of England that it has already raised rates far enough. The minutes show the decision was “finely balanced”. Five MPC members (Bailey, Broadbent, Dhingra, Pill and Ramsden) voted for no change and the other four (Cunliffe, Greene, Haskel and Mann) voted for a 25bps hike.

6.3 Like the US Fed, the Bank of England wants the markets to believe in the higher for longer narrative. The statement did not say that rates have peaked and once again said if there was evidence of more persistent inflation pressures “further tightening in policy would be required”. Governor Bailey stated, “we’ll be watching closely to see if further increases are needed”. The Bank also retained the hawkish guidance that rates will stay “sufficiently restrictive for sufficiently long”.

6.4 This narrative makes sense as the Bank of England does not want the markets to decide that a peak in rates will be soon followed by rate cuts, which would loosen financial conditions and undermine its attempts to quash inflation. The language also gives the Bank of England the flexibility to respond to new developments. A rebound in services inflation, another surge in wage growth and/or a further leap in oil prices could conceivably force it to raise rates at the next meeting on 2nd November, or even pause in November and raise rates in December.

6.5 The latest forecast from Link issued on 25th September sets out a view that the bank base rate will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy.

Link Group Interest Rate View	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75

- 6.6 Gilt yields and PWLB certainty rates were on a generally rising trend throughout the first half of 2023/24. At the beginning of April, the 5-year rate was the cheapest part of the curve and touched 4.14% whilst the 25-year rate was relatively expensive at 4.58%.
- 6.7 Link's view is that PWLB rates will fall back over the next two to three years as inflation dampens. The CPI measure of inflation is expected to fall below 2% in the second half of 2024, and we forecast 50-year rates to stand at 3.90% by the end of September 2025. However, there is considerable gilt issuance to be digested by the market over the next couple of years, as a minimum, so there is a high degree of uncertainty as to whether rates will fall that far.
- 6.8 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-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26
5yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60
10yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50
25yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80
50yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60

7.0 INVESTMENTS

- 7.1 The Treasury Management Strategy Statement (TMSS) for 2023/24, which includes the Annual Investment Strategy, was approved by the Council on 22nd February 2023. 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.

- 7.2 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

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

INVESTMENT PORTFOLIO	31.3.23	31.3.23	30.9.23	30.9.23
	Actual £000	Actual %	Actual £000	Actual %
Treasury investments				
Banks	5,000	45%	10,000	77%
Building Societies - rated	1,000	9%		0%
Building Societies – unrated		0%		0%
Local authorities	5,000	45%	3,050	23%
DMADF (H M Treasury)	-	0%	-	0%
etc				
Total managed in house	11,000	100%	13,050	100%
Bond funds				
Property funds				
Cash fund managers				
Total managed externally	0	0%	0	0%
TOTAL TREASURY INVESTMENTS	11,000	100%	13,050	100%

Non Treasury investments				
Third party loans				
Subsidiaries	1,300	100%	1,300	100%
Companies				
Property				
etc				
TOTAL NON TREASURY INVESTMENTS	1,300	100%	1,300	100%

Treasury investments	11,000	89%	13,050	91%
Non Treasury investments	1,300	11%	1,300	9%
TOTAL OF ALL INVESTMENTS	12,300	100%	14,350	100%

The maturity structure of the investment portfolio was as follows:

	31.3.23 Actual £000	30.9.23 Actual £000
Investments		
Longer than 1 year		
Up to 1 year	12,300	14,350
Total	12,300	14,350

The gross interest earned was as follows:

	31.3.23 Actual £	30.9.23 Actual £
Gross interest earned	476,111	363,997

- 7.4 The 2023/24 gross investment income budget was agreed at £438.8k by Council in February 2023 which reflected the anticipated increase in interest rates during the year and resulting increase in investment returns.
- 7.5 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 2023 was 4.342% which was less than the benchmark average of 4.99%.
- 7.6 At the end of Q2, higher than anticipated base rate increases mean that it is projected that the overall surplus will be £238k, of which it is estimated to be a £240k surplus attributable to the GRA and a £1.6k shortfall attributable to the HRA.

The small HRA shortfall is due to the reduction in HRA balances upon which the item 8 calculation is made.

8.0 BORROWING

- 8.1 No long-term borrowing was undertaken during the first half of 2023/24, 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 2023/24. However, 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 ie during the fourth quarter of 2023/24.
- 8.2 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 £23.1m at the end of 2022/23 as per the table in 7.3 below. Based on current 50-year PWLB rates 5.24% this would cost the Council £1.21m in interest per annum.
- 8.3 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.
- 8.4 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. It is not anticipated that any large capital projects currently under consideration would be precluded from accessing PWLB funding.

9.0 PRUDENTIAL AND TREASURY INDICATORS

- 9.1 It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the quarter ended 30th September 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24. 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.
- 9.2 All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.
- 9.3 The prudential and treasury indicators are shown below.

Treasury Indicators	31.03.23 Actual £'000	2023/24 Original Budget £'000	2023/24 Revised Budget £'000	2023/24 Forecast outturn £'000
Authorised limit for external debt	88,212	146,514	146,514	146,514
Operational boundary for external debt	88,212	136,014	136,014	136,014
Gross external debt	88,212	88,212	88,212	88,212

Prudential Indicators	31.03.23 Actual £'000	2023/24 Original Budget £'000	2023/24 Revised Budget £'000	2023/24 Forecast outturn £'000
Capital expenditure				
Non - HRA	7,709	2,987	6,826	6,296
HRA	13,097	21,955	17,906	12,534
Total	20,806	24,942	24,732	18,830
Capital Financing Requirement (CFR)				
Non - HRA	23,177	29,339	28,083	24,049
HRA	92,957	106,675	108,555	102,061
Total	116,134	136,014	136,638	126,110
Annual change in CFR				
Non - HRA	1,935	947	872	872
HRA	2,506	12,437	9,104	9,104
Total	4,441	13,384	9,976	9,976
In year borrowing requirement				
Non - HRA	2,249	1,347	1,272	1,272
HRA	2,868	12,812	9,479	9,479
Total	5,117	14,159	10,751	10,751
Ratio of financing costs to net revenue stream				
Non - HRA	-0.61%	0.47%	0.47%	0.47%
HRA	12.02%	11.29%	11.29%	11.29%

10.0 SUSTAINABILITY IMPLICATIONS

10.1 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.

11.0 RISK ASSESSMENT

11.1 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
2017	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 Executive Overview & Scrutiny Committee (Cabinet & Council only)
- 2 – Minute of Cabinet (Council only)

45 **Q2 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING 2023-24**

The Head of Finance, Procurement and Commercial Services introduced the report as contained on pages 57 to 64 of the Book of Reports which set out details of

1. Treasury Management operations for the first half of 2023/24; and
2. Reported on the Prudential Indicators, where available.

Comments and questions were raised in respect of:

- TVDL expenditure
- Risks associated in relation to Investment with other Local Authorities
- Significant changes following publication of the agenda and reports
- Investment Plan/borrowing/subsidiaries

RESOLVED:

1. That the report be noted; and
2. That Local Authorities invested in be identified and details circulated to the Committee following the meeting; and
3. That any significant changes that have occurred since publication of the agenda and reports be circulated and reported to the Committee and to Cabinet.

134 **Q2 TREASURY MANAGEMENT**

Councillor R Molloy introduced the report of the Head of Finance, Procurement & Commercial Services, which detailed the Treasury Management operations for the first half of 2023/24 and the Prudential Indicators, where available.

The Minute of the Executive Overview & Scrutiny Committee was circulated prior to the meeting.

In reaching the decision below, 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 2023/24, be noted.
 - B. That the changes to the Prudential Indicators highlighted in section 9.3 of the report be noted and endorsed for approval by Council on 13 December 2023.



**EXECUTIVE OVERVIEW & SCRUTINY
COMMITTEE: 9 November 2023**

CABINET: 21 November 2023

COUNCIL: 13 December 2023

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 QUARTER TWO (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 2023/24 financial year.

2.0 RECOMMENDATIONS TO COMMITTEES AND CABINET

TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

2.1 That the 2023/24 HRA and Housing capital programme positions be noted and any comments forwarded to Cabinet for consideration.

TO CABINET

2.2 That the 2023/24 HRA and Housing capital programme positions be noted and endorsed.

3.0 RECOMMENDATIONS TO COUNCIL

3.1 That the 2023/24 HRA and Housing capital programme positions be noted.

3.2 That the virements in tables 5.3 and 7.1 be approved.

3.3 That expenditure and funding slippage in table 7.1 be approved.

4.0 BACKGROUND

4.1 In February 2023, Council agreed the HRA revenue and capital budgets for the 2023/24 financial year.

4.2 The Government's current rent policy confirms 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 2024/25 rent setting it will be based on September 2023 cpi, which is 6.7%

4.3 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.

5.0 HRA – 2023/24 Q2 Projected Outturn

5.1 The table below summarises proposed changes to the 2023/24 HRA revenue budget.

5.2 In February 2023 Council approved a £500k capital budget for 2023/24 to fund work on tackling damp and mould. After working through the detail of how to deliver this it has been concluded that £250k would be best used to fund additional staff and washing equipment to address the issue, with the remainder staying in capital for other works.

5.3 As the HRA budget must balance to zero, a £250k increase in revenue costs will be balanced by a £250k reduction in revenue contribution to capital. The tables in paragraph 7.1 include the equal and opposite proposed virements to the capital budget. This means that, all other things being equal, the amount of borrowing required by the HRA to fund capital in 2023/24 would increase by £250k. However, the total amount of capital that now needs funding has reduced by £250k, so funding net zero effect on capital.

Budget Area	2023/24 Budget £000	Virement £000	Revised 2023/24 £000
Employee Expenses	4,304	220	4,524
Void and response repairs plus electrical testing	5,370		5,370
Other premises costs	4,241	30	4,271
Transport costs	191		191
Budget contingency	390		390
Supplies and Services	1,527		1,527
Support Services and internal income (net)	2,905		2,905
Loan interest & Contribution towards Repayment	3,492		3,492
Contributions to capital	7,455	-250	7,205
Dwelling rents	-25,900		-25,900
Other external income	-3,975		-3,975
Total	0	0	0

5.4 A summary of the projected HRA revenue outturn against revised budget is set out in the table below. The HRA is expected to outturn around £260k (0.9%) below budget.

Budget Area	2022/23 Revised Budget £000	Q1 Var. £000	Outturn Var. £000	Comment
Employee Expenses	4,524	150	200	Pay settlement partially offset by vacancies (after vacancy factor).
Void and response repairs plus electrical testing	5,370	0	0	Favourable in-year run rate offsets retrospective costs for 2022/23.
Other premises costs	4,271	0	0	Heating outturn will be zero through y/e debtor.
Transport costs	191	0	0	
Budget contingency	390	0	-150	Various plans that will require most of contingency.
Supplies and Services	1,527	0	0	
Support Services and internal income (net)	2,905	0	-110	Estates recharge for HRA valuations. Legal recharge for vacant post.
Loan interest & Contribution towards Repayment	3,492	0	0	£3,432k is 'fixed' interest and debt repayment. Additional £60k depends on level of additional borrowing for capital programme and TVDL works.
Contributions to capital	7,205	0	0	
Dwelling rents	-25,900	-100	-150	RTB run rate reduced to around 40 for the year, new homes through TVDL coming on line.
Other external income	-3,975	-50	-50	Furnishing service likely to be ahead of budget.
Total	0	0	-260	0.9% of total expenditure budget

- 5.5 Energy cost pressures on the **district heating scheme** (DHS) were reported throughout 2022/23. Final outturn recognised a shortfall within the account overall of around £370k, which will need to be recovered from DHS customers over time. An overall shortfall in 2023/24 is also expected though with timing delays in billing and changing energy prices it is difficult to provide an accurate forecast. As in 2022/23, any shortfall will be treated as a debtor at year-end so the overall DHS accounting outturn position in year will be zero.
- 5.6 Budget pressure identified to date primarily relates to the provisional pay settlement of £1,925 per full time employee. Budgets were set assuming a 3% increase, the current offer is closer to 6% on average. Negotiations are ongoing so it is possible that the settlement may increase further.
- 5.7 Salary budget pressures are expected to be offset by rental and furnishing service income. Updated forecasts for use of budget contingency leave around £150k unallocated. In addition, latest estimates suggest that around £110k of recharges to the HRA are unlikely to occur due to a vacant post for Housing-specific work in the Legal team and expected levels of external valuation work procured through Estates. If these remain the case then it is expected to lead to a modest favourable outturn position of around £260k, (0.9% of total expenditure budget).

6.0 HRA Business Plan Pressures and 2023/24 Rent Setting

- 6.1 September 2023 cpi remains high at 6.7%. Rents are generally increased by September cpi plus 1%. However, 2023/24 rents were limited by Government in most cases to a 7% increase because cpi in September 2022 was 10.1%. There is a diminishing possibility that Government might choose to intervene again, thus limiting rental income in 2024/25 and beyond. Meanwhile contract inflation will probably continue to rise.
- 6.2 If the standard rent setting approach of cpi plus 1% is allowed by Government and cpi remains high, this could have a detrimental impact on some tenants. However, in February 2023 rent setting, a budget issue was approved to provide up to £250k of additional hardship support in 2024/25 as well as £500k in the current financial year.

7.0 Capital Investment Programme

- 7.1 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 2023/24 Housing Capital budget plus proposed amendments, to create the revised 2023/24 budget. The table includes the equal and opposite revenue virements identified in paragraphs 5.2 and 5.3.

Scheme	2023/24 Current £000's	2023/24 Virement £000's	2023/24 Slippage £000's	2023/24 Revised £000's
Kitchens	1,573			1,573
Walls	1,566	-470	-310	786
External Areas	1,347			1,347
Heating	936	200		1,136
Bathrooms	689		-200	489
Roofing	679	270		949
Windows & Doors	636			636
Electricals	608			608
Communal Services	218			218
Housing Capital Investment Plan	8,252	0	-510	7,742
Digmoor Regeneration	5,000		-4,750	250
Decarbonisation – wave 2.1	4,556		-1,556	3,000
Environmental Programme	681			681
Salary costs & Professional Fees	600			600
Disabled Adaptations	566			566
Disrepair mitigation	500	-250		250
Sheltered Housing Upgrades	374			374
Change in Standard for Smoke Detection	330			330
Contingency	330			330
Fire Safety Works	136			136
Lifts	115		-37	78
Abritas upgrade	15			15
Digital Schemes Sheltered	12			12
Other Housing Schemes	13,215	-250	-6,434	6,622
Capital Expenditure	21,467	-250	-6,853	14,364
TVDL Expenditure	13,761		-10,219	3,542
Total Expenditure	35,228	-250	-17,072	17,906

Funded by	2023/24 Current £000's	2023/24 Virement £000's	2023/24 Slippage £000's	2023/24 Revised £000's
Revenue contributions/MRR	7,455	-250		7,205
Capital Receipts - Land sale		10		10
Borrowing	23,350	110	-13,981	9,479
Decarbonisation grant funding	1,188	-120	-356	712
Homes England Grants	3,235		-2,735	500
Total Funding	35,228	-250	-17,072	17,906

- 7.2 The decarbonisation funding bid approved as a budget issue in February 2023 covered two elements. The larger part was for specific works and was granted, a smaller pot of around £120k for associated digitalisation works was not. In the virement column of the funding table directly above, the £120k digitalisation grant budget has therefore been reduced, with an equal increase in borrowing requirement.
- 7.3 The table below shows expenditure at mid-year of £3.89m on the capital programme, this represents 27% of the revised budget. In addition, a further £1,948m, (55%), has been invested in building new HRA homes through TVDL. Expenditure at Q2 2022/23 was £2.57m, so this year represents a step forward in delivery.
- 7.4 Housing capital budgets tends to profile with more expenditure later in the financial year and outturn typically around 70% of mid-year revised budget.

Scheme	2023/24 Revised £000's	2023/24 Actual £000's	% of revised budget
Kitchens	1,573	299	19%
External Areas	1,347	949	70%
Heating	1,136	549	48%
Roofing	949	739	78%
Walls	786	0	0%
Windows & Doors	636	115	18%
Electricals	608	8	1%
Bathrooms	489	8	2%
Communal Services	218	21	10%
Housing Capital Investment Plan	7,742	2,688	35%
Decarbonisation – wave 2.1	3000	0	0%
Environmental Programme	681	41	6%
Salary costs & Professional Fees	600	532	89%
Disabled Adaptations	566	170	30%
Sheltered Housing Upgrades	374	9	2%
Change in Standard for Smoke Detection	330	345	105%
Contingency	330	88	27%
Digmoor Regeneration	250	0	0%
Disrepair mitigation	250	0	0%
Fire Safety Works	136	5	4%
Lifts	78	0	0%
Abritas upgrade	15	0	0%
Digital Schemes Sheltered	12	12	100%
Other Housing Schemes	6,622	1,202	18%
Capital Expenditure	14,364	3,890	27%
TVDL Expenditure	3,542	1,948	55%
Total Expenditure	17,906	5,838	33%

Funded by	2023/24 Revised £000's	2023/24 Q2 Actual £000's	% of revised budget
Revenue contributions/MRR	7,205	3,880	54%
Capital Receipts	10	10	100%
Borrowing	9,479	1,948	21%
Decarbonisation grant funding	712	110	15%
Grant c/fwd to future periods		-110	
Homes England Grants	500	0	0%
Total Funding	17,906	5,838	33%

7.5 On 31 March 2023 – after WLBC 2023/24 budget setting – Government advised that for the years 2022/23 and 2023/24, the share of right to buy (RTB) capital receipts that normally gets paid straight to Government, known as the 'Treasury share', will be available for local authorities to use instead. Government further advised that local authorities should seek to incorporate these additional receipts into their plans as soon as possible. These are a separate element of RTB receipts than the 141 receipts which WLBC still hold.

7.6 The value of the 2022/23 'Treasury share' receipts was £811,471.80. Review of latest guidance on the Government website suggests that the £811k is to be used in a similar way to 141 receipts, that is as a 40% contribution to building new homes that needs to be 60% match funded by WLBC, without the use of Homes England grant funding. This means that a new build scheme needs to be identified over the next few years that will be funded from right to buy receipts and WLBC borrowing, rather than Homes England grant contribution.

7.7 There was a capital receipt of £10k in 2022/23 from the sale of a piece of HRA land. It is proposed to also allocate this receipt against TVDL expenditure, reducing the need for HRA borrowing in year.

8.0 SUSTAINABILITY IMPLICATIONS

8.1 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

9.0 RISK ASSESSMENT

9.1 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

10.0 HEALTH AND WELLBEING IMPLICATIONS

10.1 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 Executive Overview & Scrutiny Committee (Cabinet & Council only)
2. Minute of Landlord Services Committee Cabinet Working Group (Cabinet & Council only)
3. Minute of Cabinet (Council only)

20(a) **HRA Revenue and Capital Quarter 2 (Q2) Review**

The Working Group considered a report from the Head of Finance, Procurement & Commercial Services, as contained on pages 7-14 of the Book of Reports, seeking the Committee's comments to be passed to Cabinet for consideration. A meeting link issue had prevented the Principal Finance Business Partner from being able to attend and present the report to the Committee.

Agreed: That the report be noted.

44 **HRA REVENUE AND CAPITAL QUARTER TWO (Q2) REVIEW**

The Principal Finance Business Partner introduced the report as contained in the Book of Reports on pages 49-56 the purpose of which was to provide a summary of the Housing Revenue Account (HRA) and Housing Capital Programme positions for the 2023/24 financial year.

Comments and questions were raised in respect of:

- TVDL Business Plan

RESOLVED: That the 2023/24 HRA and Housing Capital Programme positions be noted.

133 **Q2 HRA REVENUE & CAPITAL MONITORING REPORT**

Councillor R Molloy 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 2023/24 financial year.

The Minutes of the Executive Overview & Scrutiny Committee and the Landlord Services Committee (Cabinet Working Group) had been circulated prior to the meeting.

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

RESOLVED: That the 2023/24 HRA and Housing capital programme positions be noted and endorsed.



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 2024/25

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To approve the timetable of meetings for the Municipal Year 2024/25

2.0 RECOMMENDATION

2.1 That the timetable for the meetings for the 2024/25 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 and its Committees 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 and the change in governance arrangements from May 2024.

3.3 The timetable ensures 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.

3.4 Dates for all other meetings such as the Strategic Asset Purchasing Committee, Working Groups and Sub-Committees, will be convened on an ad-hoc basis.

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 2024/25.

2024-25 COMMITTEE MEETINGS

	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	JAN 2025	FEB 2025	MAR 2025	APR 2025	MAY 2025
COUNCIL Council Chamber Wednesdays at 7.30pm	15 (ANNUAL)		17	R		16		11		26		16	21 (ANNUAL)
POLICY & RESOURCES COMMITTEE Committee Room Tuesdays at 7pm		25		E	24		19			4	25		
LICENSING & APPEALS COMMITTEE Council Chamber Tuesdays at 7pm		4	23	C		1		3		11		1	
AUDIT & GOVERNANCE COMMITTEE Committee Room Wednesdays at 7pm	29		31	E		30			29				28
PLANNING COMMITTEE Council Chamber Thursdays at 7pm	23	20	25	S	5	3	21		16	13	20	24	29
STANDARDS COMMITTEE Committee Room Tuesdays at 7pm				S	17						18		

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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 – 6 & 27 May, 26 August, 25 & 26 December 2024 and 1 January, 18 & 21 April, 5 & 26 May 2025
4. Elections – 2 May 2024, 1 May 2025 (Borough)



COUNCIL: 13 December 2023

Report of: Chief Operating Officer

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 2022 to 30 November 2023, 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 2022 to 30 November 2023.

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 2022 to 30 November 2023.

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.