



Jacqui Sinnott-Lacey  
Chief Executive

52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

Tuesday, 8 October 2024

**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, 16 OCTOBER 2024** at **7.30 PM** at which your attendance is requested.

Yours faithfully

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

Jacqui Sinnott-Lacey  
Chief Executive

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

**PAGE(S)**

- 1. PRAYERS**
- 2. APOLOGIES**

<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>	11 - 12
	If a member requires advice on Declarations of Interest he/she is advised to contact the Chief Legal and Democratic Services Officer (Monitoring Officer), 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).	
<b>4.</b>	<b>MINUTES</b>	13 - 18
	To receive as a correct record the minutes of the meeting held on the 17 July 2024.	
<b>5.</b>	<b>ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE</b>	
<b>6.</b>	<b>TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2</b>	
<b>7.</b>	<b>MINUTES OF COMMITTEES</b>	
	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)	<b>Policy &amp; Resources Committee - Tuesday, 25 June 2024</b>	19 - 22
b)	<b>Planning Committee - Thursday, 25 July 2024</b>	23 - 26
c)	<b>Audit &amp; Governance Committee - Wednesday, 31 July 2024</b>	27 - 30
d)	<b>Planning Committee - Thursday, 5 September 2024</b>	31 - 34
e)	<b>Standards Committee - Tuesday, 17 September 2024</b>	35 - 36
f)	<b>Policy &amp; Resources Committee - Tuesday, 24 September 2024</b>	37 - 42
<b>8.</b>	<b>UPDATE TO THE COMMUNITY INFRASTRUCTURE LEVY (CIL) AND SECTION 106 GOVERNANCE AND EXPENDITURE FRAMEWORK</b>	43 - 146
	To consider the report of the Assistant Director of Planning & Regulatory Services.	
<b>9.</b>	<b>TUC DYING TO WORK CHARTER</b>	147 - 168
	To consider the report of the Assistant Director of Corporate &	

Customer Services.

- 10. COUNCIL ANNUAL REPORT 2023/24** 169 - 208

To consider the report of the Assistant Director of Corporate & Customer Services.
- 11. COMPLAINTS ANNUAL REPORT 2023-2024** 209 - 286

To consider the report of the Assistant Director of Corporate & Customer Services.
- 12. STATUTORY POLLING REVIEW 2024 - FINAL REPORT** 287 - 330

To consider the report of the Deputy Chief Executive.
- 13. OFFICER CODE OF CONDUCT** 331 - 358

To consider the report of the Chief Legal & Democratic Services Officer (Monitoring Officer).
- 14. FOOD WASTE COLLECTIONS – CAPITAL TRANSITIONAL GRANT PAYMENT** 359 - 362

To consider the report of the Assistant Director of Environmental Services.
- 15. LEISURE UPDATE** 363 - 380

To consider the report of the Deputy Chief Executive.
- 16. SAVINGS OPTIONS AND MTFs UPDATE** 381 - 386

To consider the report of the Director of Finance & Corporate Resources.
- 17. RESPONSE OF WEST LANCASHIRE BOROUGH COUNCIL TO CONSULTATION ON CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK** 387 - 408

To consider the report of the Assistant Director of Planning & Regulatory Services.
- 18. EXCLUSION OF PRESS AND PUBLIC**

It is recommended that members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 (Financial/business affairs) of Part 1 of Schedule 12A to the Act and as, in all the circumstances of the case the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in

disclosing the information.

## **PART 2 - NOT OPEN TO THE PUBLIC**

- 19. SKELMERSDALE TOWN CENTRE DRAFT MASTERPLAN** 409 - 600
- To consider the report of the Assistant Director of Planning & Regulatory Services.
- 20. TAWD VALLEY DEVELOPMENTS LIMITED – BUSINESS PLAN UPDATE** 601 - 670
- To consider the report of the Director of Finance & Corporate Resources.

## **PART 3 - OPEN TO THE PUBLIC**

### **21. MOTIONS**

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

- a) **Winter Fuel Allowance and Protecting Pensioners from Fuel Poverty - Motion included on the agenda by Councillor de Freitas**

#### **Council Notes:**

- The Labour Government's recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.
- The estimated impact of this decision, which Age UK says will mean 2 million pensioners who badly need the money to stay warm this winter will not receive it.
- The significant role that Winter Fuel Payments play in helping older residents of West Lancashire and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.
- The criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.
- The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.

#### **Council believes:**

- That the Winter Fuel Payment has been a lifeline for many older

people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.

- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many pensioners across West Lancashire who are not in receipt of Pension Credit but on a low income will now lose their allowance.
- The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.
- The government's approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

**Council resolves to:**

- Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.
- Request that the Council Leader write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
- Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.
- Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in West Lancashire are supported in claiming their entitlement.

**b) Council Tax Exemptions for Students - Motion included by Councillor Adrian Owens on behalf of the Our West Lancashire Group**

**Council notes that:**

- Student accommodation is currently exempt from council tax.
- As at October 2024, there are 622 properties registered within the Borough that attract an exemption from Council Tax in accordance with the Regulation relating to student households (Exemption Class N) and a further 336 properties registered within the Borough that attract an exemption from Council Tax in accordance with the Regulation relating to student halls of residence (Exemption Class M).
- If these properties were not exempt from Council Tax, if a full Council Tax charge was levied in all these cases (assuming no Council Tax Support entitlement or other Council Tax

Discounts/ Exemptions were eligible), it is estimated that an additional £1.7M Council Tax liability may be generated of which the Borough Council's share of the additional liability income is estimated to be approximately £175K.

- Student households generate a need for local authority-funded public services, e.g. street cleansing, waste management, and environmental health demands in the same way as other households
- Prior to 2020, councils received funding to cover the cost of these services through the Revenue Support Grant (RSG), but since 2020 when the RSG was phased out, the income lost from council tax exemptions relating to student accommodation has effectively been borne by all other West Lancashire council tax payers.
- The Fair Funding Review of funding to councils promised by the previous Conservative Government in 2017 was never delivered and the core funding formulae for local councils have not been updated since 2013. This and the phasing out of RSG mean that councils with high student populations such as West Lancashire are not fairly funded from central Government under the current arrangements.

**Council believes that:**

- Students are a very welcome part of our community and our local economy, but live in concentrated areas of the Borough in densely populated conditions. This has a big impact on services in these parts of the Borough.
- Student households should continue to be exempt from council tax, as students are on low (and loaned) incomes.

**Council resolves that:**

The Chief Executive write to the Chancellor of the Exchequer; Secretary of State for Housing, Communities and Local Government; the Chair and Vice-Chairs of the Local Government Association; and the Members of Parliament serving West Lancashire Borough to request that a review of government funding of local councils takes place as part of the current national spending review and that a revised system of government funding of local councils should compensate the income lost to local councils through council tax exemptions for student households and halls of residence and also re-introduce minimum 3-year funding settlements for local government to aid financial planning.

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

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

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

For further information, please contact:-

Jacky Denning on 01695 585384

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

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

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

**IF YOU DISCOVER A FIRE**

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

**ON HEARING THE FIRE ALARM**

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

**NOTES:**

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

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

**CHECKLIST FOR PERSON IN CHARGE**

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

**IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED**

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.



5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

**NOTE:**

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

**CHECKLIST FOR ZONE WARDEN**

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

**INSTRUCTIONS FOR DOOR WARDENS**

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.