

## CABINET

**HELD: Tuesday, 11 June 2019**

Start: 7.00pm  
Finish: 7.14 pm

## PRESENT:

Councillor: I Moran (Leader, in the Chair)

	<u>Portfolio</u>
Councillor Yvonne Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
Councillor David Evans	Portfolio Holder for Planning
Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
Councillor Kevin Wilkie	Portfolio Holder for Street Scene
Councillor Kevin Wright	Portfolio Holder for Health and Community Safety
Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance: Owens, Rigby & D Westley  
Councillors

Officers: Kim Webber, Chief Executive  
John Harrison, Director of Development and Regeneration  
Heidi McDougall, Director of Leisure & Environment  
Marc Taylor, Borough Treasurer  
Matthew Jones, Deputy Borough Solicitor  
Chris Twomey, Deputy Director of Housing & Inclusion  
Sue Griffiths, Principal Member Services Officer

### 1 **APOLOGIES**

Apologies for absence were submitted on behalf of Councillor Wright.

### 2 **SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

There were no items of special urgency.

### 3 **DECLARATIONS OF INTEREST**

1. Councillors D Evans and Yates declared non-pecuniary interests in agenda item 8(b) (Funding of Voluntary & Other Organisations Working Group) due to their appointments by the Council to Burscough Community Association, and Citizens Advice Lancashire respectively.

2. Councillors Forshaw and Wilkie (tenants of Council accommodation) declared disclosable pecuniary/pecuniary interests in agenda item 8(c) (Review of Flexible Tenancies) but considered they were entitled to speak and vote by virtue of an exemption as nothing in the report relates particularly to their relevant tenancy or lease.
3. Councillor Gagen declared a non-pecuniary interest in agenda item 10(a) (Disposal of sites owned jointly with Lancashire County Council) in view of her employment by Lancashire County Council.

#### 4 **CONFIRMATION OF PROCEDURAL MATTERS**

RESOLVED A. That the appointment of Cabinet Committees and Working Groups for 2019/20 as circulated at the Annual Meeting on 15 May 2019 with the terms of reference included in the Constitution, be noted.

- B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers' insofar as they are executive functions, and the Scheme of Delegation to Cabinet Members, as set out in the Constitution, be noted.

#### 5 **PUBLIC SPEAKING**

In relation to agenda item 7 (Item referred from Executive Overview and Scrutiny Committee – Called in Item – Local Plan) it was reported that a request to speak form had been completed by a resident. The resident subsequently advised that he would not be able to attend the meeting. He asked that his request to speak form (containing a number of representations) be circulated. However, (in accordance with paragraph 3.2 of the Public Speaking Protocol) it was noted that it was inappropriate for the request to speak form to be circulated (and published) due to officer concern as to the potentially defamatory nature of its contents.

#### 6 **MINUTES**

RESOLVED That the minutes of the Cabinet meetings held on 12 March 2019 and 10 April 2019 be received as a correct record and signed by the Leader.

#### 7 **ITEM REFERRED FROM EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE - CALLED IN ITEM - LOCAL PLAN**

Councillor D Evans introduced the report of the Borough Solicitor which set out the comments of the Executive Overview and Scrutiny Committee arising from its meeting on 28 March 2019 in relation to a called-in item on the Local Plan.

The report included the views of the Director of Development and Regeneration in respect of the comments of the Executive Overview and Scrutiny Committee.

A motion from Councillor D Evans was circulated at the meeting.

In reaching the decision below, Cabinet considered the motion from Councillor D. Evans and the details as set out in the report before it and accepted the reasons contained therein.

**RESOLVED** That the comments from the Executive Overview and Scrutiny Committee be noted and these matters be addressed as the drafting of the next version of the Local Plan progresses.

**8 MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as circulated and contained on pages 1 - 205 and 207 – 218 of the Book of Reports.

**9 FORMATION OF WEST LANCASHIRE INTEGRATED COMMUNITY PARTNERSHIP/MULTI SPECIALITY COMMUNITY PROVIDER**

Councillor Gagen introduced the report of the Director of Leisure and Environment which provided an update on the emerging priorities and proposals for the formation of an Integrated Community Partnership (ICP) / Multi Speciality Community Provider (MCP) for West Lancashire.

In reaching the decision below, Cabinet considered the details as set out in the report before it, and accepted the reasons contained therein.

**RESOLVED A.** That, subject to the decision of Council, the overall approach on the formation of an ICP/MCP in West Lancashire be endorsed.

**B.** That it be recommended to Council that the Portfolio Holder (Health & Community Safety) be nominated as the lead Member to represent the Council on the ICP/MCP.

**10 FUNDING OF VOLUNTARY BODIES & OTHER ORGANISATIONS WORKING GROUP**

The Leader introduced the report of the Director of Housing and Inclusion which advised of the recommendations of the meeting of the Funding of Voluntary Bodies & Other Organisations Cabinet Working Group on 20 March 2019 in respect of options for future funding arrangements for revenue grants to voluntary organisations from 2020 onwards.

An addendum to the report was circulated at the meeting.

A motion on behalf of Councillor Wright was circulated at the meeting.

In reaching the decision below, Cabinet considered the addendum to the report, the motion from Councillor Wright and the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the change from the current allocation mechanism for determining revenue grants to a 3 year commissioning model from April 2020 onwards in order to procure services which maximise the impact of the revenue grants budget, to provide more stability to the voluntary sector in the Borough, to assist in empowering residents and to direct funding towards the needs of the local community, be approved.
- B. That the areas for commissioning indicatively proposed prior to consultation with the voluntary sector be:-
- advice/money/debt services
  - voluntary sector infrastructure services
  - community transport services
  - services to support the elderly, vulnerable and residents with disabilities
  - services to support independent living
- C. That the draft work stream specification(s) be submitted to the next meeting of the Funding of Voluntary Bodies & Other Organisations Working Group.
- D. That a smaller grants pot be established incorporating the remaining sum within the revenue grants budget and the Community Chest/Older People's Champion budgets. A further report on proposed management of the scheme/criteria/mechanism be submitted to the next meeting of the Funding of Voluntary Bodies & Other Organisations Working Group.

## 11 **REVIEW OF FLEXIBLE TENANCIES**

Councillor Forshaw introduced the report of the Director of Housing and Inclusion which considered the impact and future use of flexible tenancies.

Minute no. 5 of the Landlord Services Committee (Cabinet Working Group) held on 5 June 2019 was circulated at the meeting.

Revised recommendations of the Director of Housing and Inclusion were circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations and the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That Flexible tenancies be no longer used and that all new tenants where appropriate be offered an Introductory Tenancy which will convert to a Secure Lifetime tenancy (where applicable).
- B. That all existing Flexible tenants be offered the new Secure Lifetime Tenancy.
- C. That the Tenure Policy 2019 at Appendix B to the report be adopted and the Director of Housing and Inclusion, in consultation with the relevant Portfolio Holder, be given delegated authority to implement and make any minor updates and changes as required.
- D. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 27 June 2019.

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#### **QUARTERLY PERFORMANCE INDICATORS Q4 2018-19**

The Leader introduced the report of the Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 31 March 2019.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the Council's performance against the indicator set for the quarter ended 31 March 2019 be noted.
- B. That the call-in procedure is not appropriate for this item as the report will be submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 11 July 2019.

**13 DISABLED FACILITIES GRANTS PROGRAMME & USE OF THE FUND FOR THE WEST LANCS. WINTER WARM SCHEME**

The Leader introduced the report of the Director of Housing and Inclusion which provided an overview of the disabled facilities grants programme and proposed changes to the relevant policies which would enable more people to access and benefit from these grants.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the Disabled Adaptations Policy 2015 be amended to remove the requirement for a financial means test to be carried out for disabled facilities grant (DFG) applications and that this be applied to all current and future DFG applications.
- B. That S.18 of the Housing Renewal Assistance Policy 2015 be amended to reflect the removal of the financial means test for DFGs.
- C. That £50,000 of the 2019/20 disabled facilities grant allocation be used to fund the West Lancs. Winter Warm Scheme.
- D. That the Director of Housing and Inclusion be given the delegated authority, in consultation with the relevant Portfolio Holder, to decide when to reintroduce or suspend the financial means test for disabled facilities grants.
- E. That the Director of Housing and Inclusion be given the delegated authority, in consultation with the relevant Portfolio Holder, to determine the amount of DFG funding, if any, to be used to fund the West Lancs. Winter Warm Scheme on an annual basis.

**14 USE OF SECTION 106 MONIES IN THE PARISH OF RUFFORD**

Councillor Gagen introduced the report of the Director of Leisure and Environment which considered a proposal for the use of Section 106 monies for the provision of play facilities in Rufford.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED That the use of S106 monies be approved as outlined in paragraphs 5.1 – 5.3 of the report in order to provide new and improved play facilities on Highsands Avenue and a multi-use games area (MUGA) with adjoining footpath at Rufford Village Hall recreation ground.

**15 EXCLUSION OF PRESS AND PUBLIC**

RESOLVED That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 (any individual) 2 (identity of an individual) and 3 (financial/business affairs) of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

(Note: No representations had been received in relation to the following items being considered in private)

**16 MATTERS REQUIRING DECISIONS**

Consideration was given to the report relating to the following items of business as contained on pages 113 to 206 of the Book of Reports.

**17 DISPOSAL OF SITES OWNED JOINTLY WITH LANCASHIRE COUNTY COUNCIL**

The Leader introduced the report of the Director of Development and Regeneration which sought authority to agree the apportionment of capital receipts following the possible disposal of several jointly owned sites in Skelmersdale for housing delivery.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the Director of Development and Regeneration be given delegated authority to take all necessary steps to agree the apportionment of capital receipts for the three subject sites.

**18 ORMSKIRK MARKET REVIEW**

The Leader introduced the report of the Director of Development and Regeneration which sought approval to changes to the current market set up operation and agreement of the revised Market Traders Regulations.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the Director of Development and Regeneration be authorised, in consultation with the Portfolio Holder for Planning, to implement in full the proposals as detailed within paragraph 6.0 of the report.
- B. That the Director of Development and Regeneration be authorised, in consultation with the Portfolio Holder for Planning, to update the current Market Regulations in line with the requirements of resolution A. above and implement accordingly following the satisfactory completion of the consultation process with the market traders and the Market Traders Federation.

19 **OUTCOME OF ROUTE OPTIMISATION PROJECT**

Councillor Wilkie introduced the report of the Director of Leisure and Environment which provided an update on the outcome of the route optimisation project and presented options for the future operation of the service.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the new proposed operating solution (model F) be taken forward as outlined in paragraphs 5.21 to 5.26 of the report and implemented by 4 November 2019, realising a saving of approximately £50,000.
- B. That the delivery of the waste projects as outlined in paragraphs 5.30 to 5.33 of the report be supported and approved.
- C. That a sum of £49,060 to enable the project to be implemented and the changes be effectively communicated to residents as outlined at paragraph 7.2 of the report be approved.
- D. That the Director of Leisure and Environment be given delegated authority in consultation with the relevant Portfolio Holder to take all necessary steps to implement the new proposed operating solution (Model F).
- E. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 27 June 2019.

20 **TRAVELLING SHOWPEOPLE**

The Leader reported that this item had been withdrawn by officers following receipt of further information.

**21 LEISURE CONTRACT EXTENSION AND NEW LEISURE & WELLBEING FACILITY TENDER DOCUMENT**

Councillor Gagen introduced the report of the Director of Leisure and Environment which provided an update on the extension of the existing leisure contract and the preparation of tender documentation for the new leisure and wellbeing hubs.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the Director of Leisure and Environment Services, in consultation with the Portfolio Holder for Leisure & Human Resources, be granted delegated authority to enter into a leisure contract extension and to agree any associated variations and lease arrangements, as detailed in paragraphs 5.0 - 5.12 of the report.
- B. That the Director of Leisure and Environment Services, in consultation with the Portfolio Holder for Leisure & Human Resources, be granted delegated authority to finalise the tender documentation for the new leisure and wellbeing facilities, as detailed in paragraphs 6.1-6.7 of the report and to issue and assess tenders.
- C. That the recommendations of the West Lancashire Leisure Partnership Cabinet Working Group held on 16 May 2019 as attached as appendix 1 to the report be approved.

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**Leader**