

## CABINET

**HELD: Tuesday, 10 September 2019**

Start: 7.00pm  
Finish: 7.35 pm

## PRESENT:

Councillors:	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 Councillor Jenny Wilkie	Portfolio Holder for Planning Portfolio Holder for Housing and Landlord Services
	Councillor Kevin Wilkie Councillor Kevin Wright	Portfolio Holder for Street Scene Portfolio Holder for Health and Community Safety
	Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance: Dowling, Finch, Owen & D Westley  
Councillors

Officers:  
Kim Webber, Chief Executive  
John Harrison, Director of Development and Regeneration  
Jacqui Sinnott-Lacey, Director of Housing and Inclusion  
Heidi McDougall, Director of Leisure & Environment  
Terry Broderick, Borough Solicitor  
Peter Richards, Strategic Planning & Implementation Manager  
Sue Griffiths, Principal Member Services Officer

## 22 APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

## 24 DECLARATIONS OF INTEREST

1. Councillors J & K Wilkie (tenants of Council accommodation) and Councillor K Wright (connected person tenant of Council accommodation) declared disclosable pecuniary interests in agenda items 7e (Council Housing Asset

Management Strategy & Capital Programme Procurement Approach) and 7h (Tenancy Fraud Policy) 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.

2. Councillor Y Gagen declared a non-pecuniary interest in agenda item 7g (Quarterly Performance Indicators (Q1 2019/20) (particularly in relation to services within the responsibility of Lancashire County Council) due to her being an employee of Lancashire County Council.

**25 PUBLIC SPEAKING**

Representations were received from four residents in relation to the following items:-

Agenda item 7a – Liverpool City Region Spatial Planning Statement of Common Ground (one representation)

Agenda item 7b – Local Plan Review (four representations).

**26 MINUTES**

RESOLVED That the minutes of the Cabinet meeting held on 11 June 2019 be received as a correct record and signed by the Leader.

**27 COMMUNITY WEALTH BUILDING CABINET WORKING GROUP**

Consideration was given to the report of the Borough Solicitor as contained on pages 235 – 237 of the Book of Reports on the establishment of a Community Wealth Building Cabinet Working Group.

RESOLVED A. That a Community Wealth Building Cabinet Working Group be established with the following Terms of Reference:

- i) To contribute to (when appropriate) and consider the outcomes of the study being commissioned through Lancashire Leaders, which will explore the principles of the 'Preston Model' and how it could potentially be scaled up across Lancashire, as well as exploring other social value good practice, and how it could be applied to West Lancashire
- ii) To consider the development of a strategic approach to community wealth building in West Lancashire
- iii) To commission research and gather evidence on barriers to Community Wealth Building as required
- iv) To recommend to Cabinet/Council whether the council should develop a Community Wealth Building Strategy
- v) To consider the role of other local organisations in developing community wealth building initiatives.

- B. The Leader advised that the composition of the Working Group would be made up of 4 Labour, 2 Conservative and one Our West Lancashire, with Councillor R Cooper as Chairman and the Vice-Chairman to be appointed at the first meeting.
- C. That funding from the Major Projects Reserve to the value of £15,000 be agreed to cover the costs of servicing and supporting the work of the Community Wealth Building Cabinet Working Group.

**28 MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as circulated and contained on pages 239 to 432 and 451 to 470 of the Book of Reports.

**29 LIVERPOOL CITY REGION SPATIAL PLANNING STATEMENT OF COMMON GROUND**

A resident made representations to the meeting on this item.

Councillor David Evans introduced the report of the Director of Development and Regeneration which sought agreement of a Statement of Common Ground which covered cross-boundary spatial planning matters with Liverpool City Region partner authorities, as required under the Duty to Co-operate.

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

- RESOLVED A. That the Liverpool City Region Spatial Planning Statement of Common Ground provided at Appendix A to the report be agreed for signature by the Leader or Portfolio Holder for Planning.
- B. That authority be delegated to the Director of Development and Regeneration to make any minor amendments to the Statement of Common Ground arising from consideration of the document by the Combined Authority or the six local planning authorities in the Liverpool City Region before it is signed by the Leader or Portfolio Holder.

\* Councillor Wright arrived at the meeting during consideration of the above item.

**30 LOCAL PLAN REVIEW**

Four residents made representations to the meeting on this item.

Councillor D Evans then introduced the report of the Director of Development and Regeneration which considered new strategic development options for a new West Lancashire Local Plan, following the review of the Local Plan Review Preferred Options requested by Cabinet at its meeting on 12 March 2019.

A supplementary report outlining the recommendations of the Local Plan Cabinet Working Group meeting held on 4 September 2019 was circulated (as contained on pages 451 – 452 of the Book of Reports).

During consideration of this item Councillor D Evans circulated a motion (as contained on page 465 of the Book of Reports).

In reaching the decision below, Cabinet considered the representations made by the residents, the supplementary report (containing the recommendations of the Working Group), the motion by Councillor David Evans and the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the current Local Plan Review cease in its entirety.
- B. That the current Local Plan Cabinet Working Group be dissolved.
  - C. That a new Local Plan Cabinet Working Group be established to commence work imminently on a new Local Plan, including preparing new evidence studies where necessary, in accordance with Government Guidance in order to deliver a new 15 year Local Plan.
  - D. That the Leader advise the Borough Solicitor of the Terms of Reference, the size and composition of the new Working Group, including the appointment of Chairman and Vice Chairman.
  - E. That the appropriate budgetary provision for the preparation of a new Local Plan and its evidence be considered as part of the budget-setting process for 2020/21 and beyond.

**ALLOTMENT LEASE - RICHMOND AVENUE, BURSCOUGH**

Councillor Gagen introduced the joint report of the Director of Leisure and Wellbeing and the Director of Development and Regeneration which sought approval to extend the lease term for the Council's allotment site at Richmond Avenue, Burscough.

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 Leisure and Environment be authorised to take all necessary steps to grant a new lease to Burscough Allotment Society for a term of 25 years from the date of completion of the lease.

32 **DRAFT CIL FUNDING PROGRAMME 2020/21**

Councillor David Evans introduced the report of the Director of Development and Regeneration which sought authority to publicly consult on the draft CIL Funding Programme for 2020/21, including options on which infrastructure projects to be prioritised to receive CIL funding in 2020/21.

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 public consultation on a Draft CIL funding Programme for 2020/21 be approved, and that the shortlist of infrastructure projects identified at paragraph 4.2 of the report be included in that consultation.

B. That the public consultation on the spending of "neighbourhood" CIL monies in Ormskirk be approved, and that the shortlist identified at paragraph 4.3 of the report be included in that consultation.

33 **COUNCIL HOUSING ASSET MANAGEMENT STRATEGY & CAPITAL PROGRAMME PROCUREMENT APPROACH**

Councillor J Wilkie introduced the report of the Director of Housing and Inclusion which sought approval of the newly developed Housing and Inclusion Asset Management Strategy and the entering into of 5 year contract(s) in order to deliver the capital investment programme commencing April 2021.

Minute No. 15 of the Landlord Services Committee (Cabinet Working Group) held on 4 September 2019 was circulated at the meeting.

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

RESOLVED A. That the newly developed Asset Management Strategy included at appendix A to the report be approved.

B. That in order to deliver the Asset Management Strategy and realise economies of scale and continuity, the procurement of the housing capital investment programme starting from April 2021 for a term of 5 years to maximise value for money and flexibility be approved.

**34 RISK MANAGEMENT**

Councillor Yates introduced the report of the Borough Treasurer which set out details on the Key Risks facing the Council and how they are managed.

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 progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A to the report) be noted and endorsed.

**35 QUARTERLY PERFORMANCE INDICATORS Q1 2019-20**

The Leader introduced the report of the Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 30 June 2019.

In considering performance targets LE01 and LE02 in relation to grass cutting, the Leader highlighted the current arrangements for weed control in the Borough and circulated a motion at the meeting in this regard (as contained on pages 471 and 472 of the Book of reports).

In reaching the decision below, Cabinet considered the comments and motion from the Leader and 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 30 June 2019 be noted.
  - B. That a team of four Operatives be employed for 12 weeks at a cost of £23,834 to undertake intense weed scraping across the Borough.
  - C. That a sweeper be hired for a 12 week period at a cost of £6,800 to work along with the manual teams.
  - D. That the budget for this initiative be met from the appropriate corporate reserve.
  - E. That a suitable contribution be sought from Lancashire County Council for the expenditure now authorised and review the provision of weed control for 2020/21.
  - F. That the call-in procedure is not appropriate for this item due to the urgent need to undertake revised arrangements in respect of

weed control under items B to E (inclusive) and, otherwise 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 10 October 2019.

**36 TENANCY FRAUD POLICY**

Councillor J Wilkie introduced the report of the Director of Housing and Inclusion which gave consideration to a proposed Tenancy Fraud Policy.

Minute no. 14 of the Landlord Services Committee (Cabinet Working Group) held on 4 September 2019 was circulated at the meeting.

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

**RESOLVED** That the Tenancy Fraud Policy attached at Appendix 1 to the report be approved and implemented.

**37 PUBLIC SPEAKING PROTOCOL**

The Leader introduced the report of the Borough Solicitor which reviewed the current 'Public Speaking – Protocol' for public meetings of Cabinet, Overview & Scrutiny Committees, Audit & Governance Committee and Standards Committee and outlined proposals for change recommended by the Corporate & Environmental Overview and Scrutiny Committee at its meeting on 11 July 2019.

A motion from the Leader was circulated at the meeting.

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

**RESOLVED A.** That the number of requests to speak, listed in paragraph 5 of the report, under the current 'Public Speaking – Protocol' for meetings of Cabinet, Overview & Scrutiny Committees, Audit & Governance Committee and Standards Committee (Constitution 14.1 – the "Protocol"), be noted.

**B.** That the agreed comments to Council be that the recommendations of the Corporate & Environmental Overview and Scrutiny Committee as set down at paragraph 6 of the report be supported.

**38 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)

**39 MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as circulated and contained on pages 433 – 449 and 471 of the Book of Reports.

**40 MART LANE HALL, BURSCOUGH**

Councillor Gagen introduced the joint report of the Directors of Development and Regeneration and Leisure and Environment which sought authority for the disposal of Mart Lane Hall, Burscough.

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 subject to the approval of Council the Director of Development and Regeneration be authorised to take all necessary steps and enter into all necessary documentation to agree terms and dispose of Mart Lane Hall, Burscough (shown hatched at Appendix A to the report).

**41 TRAVELLING SHOWPEOPLE**

Councillor D Evans introduced the report of the Director of Development and Regeneration which considered options in relation to a Travelling Showpeople family with long-standing connections in the Burscough area.

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 it be noted that the Travelling Showpeople have left the site and that the situation be kept under review and officers continue to seek to identify a site that can be allocated to the Travelling Showpeople in order to establish a permanent base in Burscough.

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**Leader**