

COUNCIL

HELD: Wednesday, 17 July 2019

Start: 7.30 pm

Finish: 9.17 pm

PRESENT:

Councillors:

G Owen (Mayor)	
T Aldridge (Deputy Mayor)	
I Ashcroft	Mrs P Baybutt
Mrs M Blake	A Blundell
C Cooper	R Cooper
C Coughlan	V Cummins
S Currie	I Davis
N Delaney	C Dereli
T Devine	G Dowling
Mrs C Evans	D Evans
S Evans	J Finch
N Furey	Y Gagen
J Gordon	G Hodson
G Johnson	K Lockie
Mrs J Marshall	M Mills
K Mitchell	J Monaghan
I Moran	M Nixon
P O`Neill	D O`Toole
A Owens	E Pope
A Pritchard	I Rigby
Mrs D Stephenson	A Sutton
J Thompson	D West
D Westley	Mrs M Westley
D Whittington	J Witter
K Wright	A Yates

Officers:

Kim Webber, Chief Executive
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
John Harrison, Director of Development and Regeneration
Heidi McDougall, Director of Leisure & Environment
Marc Taylor, Borough Treasurer
Terry Broderick, Borough Solicitor
Jacky Denning, Member & Executive Services Manager

16 PRAYERS

The Mayor's Chaplain for the evening, Reverend Bicknell, led Members and officers in prayer.

17 APOLOGIES

Apologies for absence were received on behalf of Councillors T Blane, J Cairns, J Mee, N Pryce-Roberts, J Wilkie and K Wilkie.

18 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Aldridge and O'Toole declared a non pecuniary interest in relation to Agenda Item 11 'Council Plan Annual Report 2018/19' and item 18 (b) 'Fracking – Motion' as Members of Lancashire County Council (LCC) as did Councillors Coughlan and Gagen as employees of LCC, and indicated that they would not participate in any detailed discussions which affected LCC. Councillors Aldridge and O'Toole advising that they would leave the meeting during consideration of item 18(b) 'Fracking – Motion'.
2. Councillors Ashcroft, Mrs Blake, Dereli, Gordon, Lockie, Mrs Marshall, Mee, Moran, Owen, Pope and Whittington declared a non pecuniary interest in relation to Agenda Item 11 'Council Plan Annual Report 2018/19' in relation to Parish Council matters in view of their membership of a Parish Council and indicated they would not participate in any detailed discussions which affected the finances of those bodies specifically.
3. Councillor Coughlan declared a pecuniary interest in relation to Agenda Item 17. 'Leisure Contract Extension and New Leisure and Wellbeing Facility Tender Documentation' in respect of his appointment to West Lancashire Community Leisure.
4. Councillors Delaney, Devine, Owen, Nixon and West (Tenant of a Council flat/house) Aldridge and Coughlan (Tenant of a Council garage) declared disclosable pecuniary interests in relation to item 15 'Housing Account – Revenue and Capital Outturn' for the reasons indicated but were entitled to speak and vote by virtue of an exemption (nothing in these reports relates particularly to their respective interests arising from the tenancy or lease).
5. Councillors Aldridge, C Cooper, R Cooper and Wright declared non-pecuniary interests in relation to item 15 'Housing Account – Revenue and Capital Outturn' as they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a pecuniary interest (as it would affect the financial position of their relative and a member of the public with knowledge of the relevant facts would reasonably regard this as so significant that it is likely to prejudice their judgement of the public interest) they declared that interest but considered that they were entitled to speak and vote by virtue of an exemption as nothing in these reports relates particularly to the relevant tenancy or lease.
6. Members of the Council's Planning Committee (with the exception of Councillor Dowling), in relation to agenda item 18(b) 'Fracking Motion', reminded the meeting that they may, at a future date, consider planning applications relating to fracking, as the Council will be a consultee in relation to West Lancashire fracking proposals considered by the County Council. Accordingly, they advised the meeting that they would approach any such planning applications without a closed mind and that any views expressed by them in relation to this motion should not be seen as committing them as to

how they may vote at the appropriate time. In this respect, Councillors Ashcroft, Baybutt, Blundell, Pope, Mrs Westley and Witter advised that they would leave the room during consideration of this item.

19 **MINUTES**

RESOLVED: That the minutes of the following meetings be approved as a correct record and signed by the Mayor:

- A. Wednesday 10 April 2019
- B. Wednesday 15 May 2019 (Annual meeting)
- C. Wednesday 10 July 2019 (Extraordinary meeting)

20 **ANNOUNCEMENTS BY THE MAYOR AND/OR THE CHIEF EXECUTIVE**

The Mayor paid tribute to Eleanor Maddocks MBE, who had recently died. The Mayor advised that Eleanor was the founder of the West Lancashire Women's Refuge in Skelmersdale and received an MBE in the New Year's Honours List for services to Victims of Domestic Violence and Abuse in West Lancashire and that for the last three decades Eleanor, following her own life experiences, was the driving force of the Liberty Centre, providing valuable services to West Lancashire residents.

The Mayor advised that in relation to her own fund raising activities this year, in addition to the cake being raffled following the meeting, her first fund raising event would be held on Saturday, 27 July, a Summer Fete being held in Crawford Village Hall.

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

The following Question was received:

"Weed control on Highways - Question from Councillor Adrian Owens on behalf of the Our West Lancashire Group

"Annual plants form an important part of our biodiversity in our local countryside including highway verges. However, when they grow in road channels and around traffic islands and between paving they can cause damage to the structure and affect normal water flow potentially causing further damage. They also give our Borough an uncared for appearance.

Therefore, Our West Lancashire are concerned that the annual weed spraying programme for 2019 will take place with two sprays in July 2019 and September 2019. We understand from a professional contractor who works in this area that the first weed spray of channels should ideally take place in late March or early April, depending on the presence and stage of any growth with a second spray some 6-8 weeks later. The purpose of spraying road channels is to prevent excessive weed

growth, not to kill excessive weed growth which has already occurred. Spraying much later as is proposed this year, once weed growth has taken hold, means that even though the weeds are killed, the detritus remains and this can still inhibit water flow if not removed by mechanical sweeping which obviously adds to the overall cost of weed control.

Can the Council Leader provide an explanation as to why the decision was taken to change the timing of the weed spraying in 2019 and whether delaying the first spray until July will be continued in 2020?"

The Leader advised that the response would be provided following the meeting and published on the Council's website.

22 **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. Licensing and Appeals Committee held on Tuesday, 2 April and 4 June 2019.
- B. Planning Committee held on Thursday, 25 April, 22 May and 20 June 2019.
- C. Audit and Governance Committee held on Tuesday, 28 May 2019.

23 **REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2018/19 - FINAL PROPOSALS**

Consideration was given to the report of the Borough Solicitor, as contained on pages 569 to 640 of the Book of Reports, which reviewed all Parliamentary Polling Districts and Polling Places and all Local Government Polling Districts and Polling Places at the same time, to comply with the Council's statutory duty.

The Mayor advised that a revised page 582 (Page 8 of Appendix 1) Bickerstaffe had been circulated separately.

The Leader gave an undertaking to consider a targeted campaign to increase the use of postal voting, whilst recognising the initial requirement for electors to complete registration forms.

RESOLVED: That the Final Schedule of Proposals as set out in Appendix 1 to the report, as revised on page 8 as circulated, be approved.

24 FORMATION OF WEST LANCASHIRE INTEGRATED COMMUNITY PARTNERSHIP/MULTI SPECIALITY COMMUNITY PROVIDER

Consideration was given to the report of the Director of Leisure and Environment, as contained on pages 641 to 650 of the Book of Reports, which provided information on the emerging priorities and proposals for formation of an Integrated Community Partnership (ICP) / Multi Speciality Community Provider (MCP) for West Lancashire.

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

A vote was taken the Motion was CARRIED.

- RESOLVED:
- A. That the Council's membership and continued active participation in developing the West Lancashire ICP/MCP, in accordance with the Council's Partnership Protocol, be approved in principle.
 - B. That the overall approach towards the formation of an ICP/MCP in West Lancashire be endorsed.
 - C. That the Director of Leisure & Environment, or her nominee, be nominated as the lead Officer to represent the Council on the West Lancs ICP/MCP.
 - D. That the Portfolio Holder (Health & Community Safety) be nominated as the lead Member to represent the Council on the West Lancashire ICP/MCP.
 - E. That the Director of Leisure & Environment be given delegated authority, in consultation with the relevant Portfolio Holder, to progress and (as appropriate) confirm the Council's membership of the ICP/MCP and to provide future updates at relevant stages of the partnership development process.

25 FIXED PENALTY AMOUNTS

Consideration was given to the report of the Director of Leisure and Environment, as contained on pages 651 to 656 of the Book of Reports, which advised of changes to the use of Fixed Penalties and sought approval for the level of fixed penalty fines to be applied to certain waste offences.

- RESOLVED:
- A. That the use of fixed penalties to enforce against the householder duty of care offences be authorised and the level of the fixed penalty be set at the default amount of £200.
 - B. That the default fixed penalty amount for littering and for the related offences of unauthorised distribution of free printed material in a designated area, graffiti and fly-posting be reduced and set at the default level of £100.

- C. That the new fixed penalty amounts set out in Appendix 1 be adopted.

26 **COUNCIL PLAN ANNUAL REPORT 2018/19**

Consideration was given to the report of the Director of Housing and Inclusion, as contained on pages 657 to 682 of the Book of Reports, which presented the Council Plan Annual Report 2018/19.

RESOLVED: A. That the Council Plan Annual Report 2018/19 (attached at Appendix 1 to the report) be approved.

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

27 **HEALTH & SAFETY STRATEGIC PLAN UPDATE**

Consideration was given to the report of the Director of Leisure and Environment, as contained on pages 683 to 698 of the Book of Reports, which provided an update on the progress made in relation to the 2017/20 Health and Safety Strategic Plan.

RESOLVED: That progress against the Health and Safety Strategic Plan 2017/20 be noted.

28 **TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR PERFORMANCE 2018-19**

Consideration was given to the report of the Borough Treasurer, as contained on pages 699 to 706 of the Book of Reports, which set out the Treasury Management performance and Prudential Indicators for the year ended 31 March 2019.

The Portfolio for Resources and Transformation gave an undertaking to provide a written response to a question raised in relation to the changes each year in respect of the GRA (General Revenue Account) / HRA (Housing Revenue Account) split.

RESOLVED: That the performance for the 2018-19 financial year be noted.

29 **GENERAL REVENUE ACCOUNT OUTTURN**

Consideration was given to the report of the Borough Treasurer, as contained on pages 707 to 710 of the Book of Reports, which provided a summary of the revenue and capital outturn position on the General Revenue Account (GRA) for the 2018/19 financial year.

RESOLVED: A. That the revenue outturn position be noted and the proposed budget allocation set out in paragraph 4.5 be approved.

- B. That the following new capital schemes be approved:

<u>NEW PROPOSALS</u>	£000
<u>Development and Regeneration</u>	
Planning / Land Charges ICT upgrade	40
Alder Lane / Bramble Way Landfill site - update / replace equipment	75
Wheatsheaf Walks Improvement	30
Skelmersdale Highway / Gateway Improvements	50
Replacement of Trash Screen in Culvert	10
 <u>Legal and Democracy</u>	
Replacement time recording system (Etarmis)	17
 <u>Leisure and Environment</u>	
Long Term Provision of CCTV Cameras	240
Burscough Racquets and Fitness Centre - invest to save proposal	321
 Total funding requirement	 <u>783</u>

30 HOUSING ACCOUNT - REVENUE AND CAPITAL OUTTURN

Consideration was given to the joint report of the Director of Housing and Inclusion and the Borough Treasurer, as contained on pages 711 to 718 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) revenue and capital outturn positions for the 2018/19 financial year.

RESOLVED: That the financial outturn position of the 2018/19 HRA and Capital Investment Programme be noted and that the budget allocations set out in paragraphs 4.3 and 5.4 be approved.

31 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

32 LEISURE CONTRACT EXTENSION AND NEW LEISURE & WELLBEING FACILITY TENDER DOCUMENT

Consideration was given to the report of the Director of Leisure and Environment, as contained on pages 719 to 734 of the Book of Reports, which provided an update on progress in relation to the extension of the existing leisure contract and the preparation of tender documentation for the new leisure and wellbeing hubs and sought necessary delegations.

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 6.1-6.7 of the report and to issue and assess tenders.

(Note: Councillor Coughlan declared a pecuniary interest in this item and left the room whilst the item was being considered.)

33 MOTIONS

The following Motions were considered at the request of the Members indicated:

34 CLIMATE CHANGE EMERGENCY - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR CYNTHIA DERELI ON BEHALF OF THE LABOUR GROUP

The following Motion was moved and seconded:

"Council notes that:

- The economic system is enriching a minority while leading humanity towards climate catastrophe.
- The Country's political system is leaving many to feel powerless and excluded from the key decisions that affect them.
- In 2018, the world's leading climate scientists—the IPCC—warned that humanity has only 12 years left in which to cap temperature rises at 1.5C or face a sharply higher risk of drought, floods and heatwaves.
- The UK Parliament has approved a motion to declare an environment and climate emergency, and all governments (national, regional and local) have a duty to limit the negative impacts of climate breakdown.
- Local government organisations should recognise that they cannot wait for national government to provide more money and support to reduce emissions, and that they should commit to the ambition of carbon neutrality by 2030 at the latest.

- Our emissions as an organisation are a small proportion of our area's CO2 emissions and that we can achieve more for our environment by working co-operatively than we do alone.
- Every year, our area spends significant amounts on energy, which goes out of the local economy to the big energy companies, when we believe that it could be retained through community energy, a fundamentally important part of the national energy transition we are undergoing right now.

In light of the above, Council therefore resolves:

That this Council will:

1. Join with other Councils in declaring a Climate Emergency, and have a vision of, and aspire to carbon neutrality by 2030 at the latest.
2. Continue to call on Westminster to provide the necessary powers and resources to make local action on climate change easier.
3. Work to explore the expansion of community energy to keep the benefits of our local energy generation in our local economy.
4. Continue to work with partners anchored in West Lancashire to deliver carbon reductions and grow the local economy.
5. Encourage local councillors to take action in their communities, with a view to establishing a Citizens Assembly made up of a range of representatives from our local citizens to establish the facts and make recommendations for our council."

An Amendment to the Motion, as circulated prior to the meeting, was moved and seconded.

The Amendment was altered with the agreement of the mover and seconder and with the consent of the meeting.

A vote was taken on the Altered Amendment, which was CARRIED.

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

RESOLVED: A. That this Council notes:

- The economic system is enriching a minority while leading humanity towards climate catastrophe.
- The Country's political system is leaving many to feel powerless and excluded from the key decisions that affect them.
- In 2018, the world's leading climate scientists—the IPCC—warned that humanity has only 12 years left in which to cap temperature rises at 1.5C or face a sharply higher risk of drought, floods and heatwaves.
- The UK Parliament has approved a motion to declare an

environment and climate emergency, and all governments (national, regional and local) have a duty to limit the negative impacts of climate breakdown.

- Local government organisations should recognise that they cannot wait for national government to provide more money and support to reduce emissions, and that they should commit to the ambition of carbon neutrality by 2030 at the latest.
- Our emissions as an organisation are a small proportion of our area's CO₂ emissions and that we can achieve more for our environment by working co-operatively than we do alone.
- The UK's Independent Committee for Climate Change states that 18% of UK carbon emissions come from buildings – most of them homes – with a further 15% of emissions coming from electricity consumed in buildings and that therefore the council's role as a housing and planning authority will be key in this co-operative effort.
- That large warehouses used by the likes of Amazon and other internet retailers typically have high energy demands requiring additional electrical sub-stations and other infrastructure
- The UK's independent Committee of Climate Change estimates that 1.5bn new trees will be required for the next 30 years to increase woodland cover from 13 to 17 per cent in this country.
- Every year, our area spends significant amounts on energy, which goes out of the local economy to the big energy companies, when we believe that it could be retained through community energy, a fundamentally important part of the national energy transition we are undergoing right now.

B. That in light of the above, this Council will:

1. Join with other Councils in declaring a Climate Emergency, and have a vision of, and aspire to carbon neutrality by 2030 at the latest.
2. Continue to call on Westminster to provide the necessary powers and resources to make local action on climate change easier.

3. Work to explore the expansion of community energy to keep the benefits of our local energy generation in our local economy.
4. Continue to work with partners anchored in West Lancashire to deliver carbon reductions and grow the local economy.
5. Encourage local councillors to take action in their communities, with a view to establishing a Citizens Assembly made up of a range of representatives from our local citizens to establish the facts and make recommendations for our council.
6. That the following comments be forwarded to the Local Plan Cabinet Working Group for consideration:
 - (i) As part of the current local plan review, consider the new housing numbers planned to reflect only the numbers required each year for local need.
 - (ii) Consider, through the new local plan, all new homes built to be built to zero carbon home design codes.
 - (iii) Consider, through the new local plan, all new commercial properties including warehouses to be built to the highest carbon reduction design codes and to offset through, e.g. tree planting, any remaining carbon emissions
 - (iv) Encourage through policies in the new local plan, additional planting of woodland in West Lancashire
7. That the Housing Portfolio Holder be asked to consider initiating through the council's housing capital account, a multi-year programme of insulation and other energy efficiency measures to the Borough's council housing stock.

35 **FRACKING - MOTION INCLUDED ON THE AGENDA BY COUNCILLOR MAUREEN MILLS ON BEHALF OF THE LABOUR GROUP**

The following Motion was moved and seconded:

"This Council notes the announcement by Aurora Energy to submit a planning application to Lancashire County Council as the local Mineral Planning Authority to frack at a site in Altcar.

This Council reiterates its opposition to fracking in West Lancashire due to health

and safety concerns and the impact of fracking on the environment.

This Council resolves that the relevant Portfolio Holder and Council Leader co-sign a letter to Lancashire County Council and Aurora Energy to reiterate this view.

Invitation be extended to Opposition Leaders and relevant spokespersons to co-sign shall also be made."

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

FOR: Councillors: Aldridge, C Cooper, R Cooper, C Coughlan, V Cummins, I Davis, N Delaney, C Dereli, T Devine, G Dowling, D Evans, S Evans, J Finch, N Furey, Y Gagen, G Hodson, G Johnson, K Lockie, M Mills, K Mitchell, J Monaghan, I Moran, M Nixon, P O'Neill, G Owen, A Owens, A Pritchard, I Rigby, J Thompson, D West, K Wright and A Yates.
(THIRTY TWO)

AGAINST: NONE

ABSTENTIONS: Councillors: Mrs M Blake, S Currie, J Gordon, Mrs J Marshall, Mrs D Stephenson, Miss A Sutton, D Westley and D Whittington.
(EIGHT)

The Motion was CARRIED.

- RESOLVED:
- A. That this Council notes the announcement by Aurora Energy to submit a planning application to Lancashire County Council as the local Mineral Planning Authority to frack at a site in Altcar.
 - B. That this Council reiterates its opposition to fracking in West Lancashire due to health and safety concerns and the impact of fracking on the environment.
 - C. That the relevant Portfolio Holder and Council Leader co-sign a letter to Lancashire County Council and Aurora Energy to reiterate this view.
 - D. That an invitation be extended to Opposition Leaders and relevant spokespersons to co-sign.

(Note: Councillors Ashcroft, Baybutt, Blundell, O'Toole, Pope, Mrs Westley and Witter left the meeting prior to the consideration of this item.)

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THE MAYOR