COUNCIL **HELD: Wednesday, 21 July 2021**
Start: 7.30 pm
Finish: 8.50 pm

PRESENT:

Councillors:

G Johnson (Mayor)	
Mrs M Westley (Deputy Mayor)	
T Aldridge	Mrs P Baybutt
Mrs M Blake	T Blane
A Blundell	R Cooper
C Coughlan	V Cummins
I Davis	C Dereli
T Devine	G Dowling
Eccles	D Evans
S Evans	Fennell
J Finch	S Gregson
N Furey	Y Gagen
J Gordon	Juckes
Mrs J Marshall	J Mee
K Mitchell	J Monaghan
I Moran	M Nixon
P O`Neill	D O'Toole
G Owen	A Owens
E Pope	I Rigby
N Pryce-Roberts	Mrs D Stephenson
A Sutton	J Thompson
Turpin	Upjohn
D West	D Westley
D Whittington	J Wilkie
K Wilkie	J Witter
A Yates	

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer
Chris Twomey, Corporate Director of Transformation & Resources
James Pierce, Head of Finance, Procurement and Commercial Services
Kay Lovelady, Legal & Democratic Services Manager
Mike Kostrzewski, Finance and Audit Manager
James Crowley, Leisure Project Development Manager
Jacky Denning, Democratic Services Manager
Thomas Lynan, Electoral Services Manager
Claire Kelly, Principal Solicitor

10 **PRAYERS**

The Mayor's Chaplain for the evening, Deacon Des Bill, led Members and officers in prayer.

11 **APOLOGIES**

Apologies for absence were received on behalf of Councillors Clandon, Delaney,

Hirrell and Lockie.

12 **DECLARATIONS OF INTEREST**

The following declarations were received:

1. Councillors Mrs Blake, Blane, Dereli, Gordon, Mrs Marshall, Mee, Moran, Owen, Pope, Sutton, Whittington and Witter declared a non-pecuniary interest in relation to item 10 Capital Programme Out-Turn 2020-21 and item 12 'Council Plan Annual Report 2020/21 in view of their membership of a Parish Council.

2. Councillors Aldridge, Pope and D Westley declared a non pecuniary interest in relation to item 10 Capital Programme Out-Turn 2020-2 and 12 'Council Plan Annual Report 2020/21' and Item 18a 'Derby Street Bridge – Motion', as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.

3. Councillors Devine, Owen, Nixon, West and J Wilkie (Tenant of a Council flat/house) Coughlan and Gregson (Tenants of a Council garage) declared disclosable pecuniary interests in relation to item 11 '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).

4. Councillors Aldridge, Blane, Cooper, Gregson, Mee, Nixon, Sutton and K Wilkie declared non-pecuniary interests in relation to item 11 '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.

5. Councillor Coughlan declared a pecuniary interest in relation to Agenda Item 17. 'Leisure Facilities – Public Consultation' in respect of his appointment to West Lancashire Community Leisure.

13 **MINUTES**

The minutes of the meeting of Council held on 14 April 2021 and the Annual meeting held on 19 May 2021, were received as a correct record and signed by the Mayor.

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

The Mayor announced that:

- The Civic Service would be held on Sunday 3 October 2021 at St Anne's RC Church, Ormskirk; and
- The Mayor's Charity dinner/ball was provisionally booked for Friday 22 April at Hurston Hall Golf & Spa Resort.

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

There were no items under this heading.

16 **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. Standards Committee – Tuesday 16 March 2021

B. Strategic Asset Purchasing Committee – Tuesday 6 April 2021

C. Planning Committee – Thursday 22 April, 20 May and 17 June 2021

D. Audit & Governance Committee – Thursday 25 May 2021

E. Licensing & Appeals Committee – Tuesday 1 June 2021

F. Licensing & Gambling Committee – Tuesday 1 June 2021

17 **MEDIUM TERM FINANCIAL FORECAST 2021/22 TO 2023/24**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 87 to 110 of the Book of Reports, which presented the updated Medium-Term Financial Forecast and savings proposals, savings proposals, to close the budget gap for 21/22 and 22/23 and advised on the latest Council reserves position.

A Motion to approve the recommendations in the report at paragraph 2 was moved and seconded.

An Amendment circulated prior to meeting was accepted by the mover, the seconder and with the agreement of the meeting.

During consideration of the report, the Head of Finance, Procurement and Commercial Services gave an undertaking to bring a report back to Council on the financial position in relation to the Skelmersdale Town Centre project.

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

RESOLVED: A. That the revised Medium-Term Financial Forecast (GRA) shown in Appendix A to the report, be noted.

B. That the savings proposals in Appendix B to the report, be approved.

C. That the reserves position be noted.

18 **GRA REVENUE OUTTURN POSITION 2020-21**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 111 to 118 of the Book of Reports, which provided a summary of the revenue outturn position on the General Revenue Account (GRA) for the 2020/21 financial year, noting movements in the Council's reserves and balances and sought agreement to the transfer of the underspend, the setting up of a COVID fund in reserves and the transfer of the business rates s31 grant.

RESOLVED: That the revenue outturn position be noted and that the proposed transfers to reserves be approved.

19 **CAPITAL PROGRAMME OUT-TURN 2020-21**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 119 to 130 of the Book of Reports, which provided a summary of the capital outturn position on the General Revenue Account (GRA) for the 2020/21 financial year.

RESOLVED: A. That the Capital outturn position be noted, and the proposed Capital allocation, as set out in Appendix 1 to the report, be approved.

B. That the Capital Re-profiling and significant variances in Appendix 2 to the report, be noted and approved.

20 **HOUSING ACCOUNT - REVENUE AND CAPITAL OUTTURN**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 131 to 138 of the Book of Reports, which provided a summary of the Housing Revenue Account (HRA) revenue and capital outturn positions for the 2020/21 financial year.

RESOLVED: A. That the draft financial outturn position of the 2020/21 HRA and Capital Investment Programme be noted and that the budget allocations set out in paragraphs 4.3; 4.5 and 5.3 of the report, be approved.

B. That the expenditure highlighted in paragraphs 5.4 and 5.5 of the report, be noted.

C. That the switching of funding from HRA borrowing to HRA revenue contributions, as detailed in paragraph 5.6 of the report, be noted.

21 **COUNCIL PLAN ANNUAL REPORT 2020/21**

Consideration was given to the report of the Corporate Director of Transformation & Resources, as contained on pages 139 to 156 of the Book of Reports, which presented the Council Plan Annual Report 2020/21.

A Motion to approve the recommendations at paragraph 2 was moved and seconded.

At the request of a Member voting on the Motion was recorded as follows:

FOR: Councillors: Aldridge, Cooper, Coughlan, Cummins, Davis, Dereli, Devine, Dowling, D Evans, S Evans, Fennell, Finch, Furey, Gagen, Gregson, Johnson, Mitchell, Monaghan, Moran, Nixon, O'Neill, Owen, Owens, Pryce-Roberts, Rigby, Thompson, Upjohn, West, J Wilkie, K Wilkie and Yates (THIRTY ONE)

AGAINST: Councillors Mrs Baybutt, Mrs Blake, Blane, Blundell, Eccles, Gordon, Jukes, Mrs Marshall, Mee, O'Toole, Pope, Mrs Stephenson, Sutton, Turpin, D Westley, Mrs Westley, Whittington and Witter (EIGHTEEN)

The Motion was CARRIED.

RESOLVED: A. That the Council Plan Annual Report 2020/21 (Appendix 1) be approved.

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

22 **TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR PERFORMANCE**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 157 to 164 of the Book of Reports, which detailed the Treasury Management performance and Prudential Indicators for the year ended 31 March 2021.

RESOLVED: That the performance for the 2020-21 financial year be noted.

23 **ELECTORAL BOUNDARY REVIEW - OFFICER SUBMISSION**

Consideration was given to the report of the Chief Operating Officer, as contained on pages 165 to 232 of the Book of Reports, which provided details of the current phase of the Electoral Review of West Lancashire and advised that a Ward

Boundary Officer Proposal would be submitted to the Boundary Commission.

RESOLVED: That the Ward Boundary Officer Proposals, attached at Appendix A-C to the Report, be noted.

24 **APPOINTMENT OF VICE CHAIRMAN - PLANNING COMMITTEE**

Consideration was given to the report of the Corporate Director of Transformation & Resources, as contained on pages 233 to 234 of the Book of Reports, which sought to appoint the Vice Chairman of Planning Committee.

A nomination to appoint Councillor Gaynar Owen as Vice Chairman of the Planning Committee was moved and seconded.

There were no further nominations.

RESOLVED: That Councillor Gaynar Owen, a Member of the Planning Committee, be appointed Vice Chairman for the remainder of the 2021/22 Municipal Year.

25 **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 paragraphs 1, 2 & 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.

26 **LEISURE FACILITIES – PUBLIC CONSULTATION**

Consideration was given to the report of the Corporate Director of Place & Community, as contained on pages 235 to 300 of the Book of Reports, which provided details of a proposed public consultation in relation to the current and future leisure facilities at Beacon Country Park and to sought permission to proceed with the proposed approach.

Members were advised that the decision of Cabinet held on 20 July 2021 had been circulated.

RESOLVED: That the proposed approach to Consultation and the Options appraisal as set out in Section 7.0 of the report be approved.

(Note: During consideration of this item Councillor Coughlan left the room.)

Members of the public, the press and Councillor Coughlan were invited back into the meeting.

27 **MOTIONS**

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

28 **DERBY STREET BRIDGE - MOTION FROM COUNCILLOR JANE THOMPSON**

The following Motion was moved and seconded:

"This Council notes that Lancashire County Council plan to start works on the Derby Street Bridge in November 2021 which will permanently reduce traffic approaching the bridge on derby Street to one lane.

Council further notes with concern that no pilot scheme has been carried out to trial one lane operation on the approach to the bridge and its impact on traffic congestion; the county council relying on computer modelling as evidence for this permanent and irreversible change.

Council instructs the Chief Operating Officer to write to the Chief Executive of Lancashire County Council to ask that the County Council carry out a suitable pilot of one lane operation on the approach to Derby Street bridge during school term time to measure the actual rather than modelled impact of this change and thereafter to consider the results of this pilot before taking a final decision on the Derby Street bridge project."

An Amendment to include the following words was accepted by the mover, the seconder and with the agreement of the meeting:

"That Lancashire County Council be asked to provide a full explanation as to why no restorative work has taken place to Derby Street bridge since 2017, and also what state the bridge is in now.

A vote was taken, the Motion as amended was CARRIED.

RESOLVED: A. That this Council notes that Lancashire County Council plan to start works on the Derby Street Bridge in November 2021 which will permanently reduce traffic approaching the bridge on Derby Street to one lane.

B. That Council further notes with concern that no pilot scheme has been carried out to trial one lane operation on the approach to the bridge and its impact on traffic congestion; the County Council relying on computer modelling as evidence for this permanent and irreversible change.

C. That Council instructs the Chief Operating Officer to write to the Chief Executive of Lancashire County Council to:

(i) ask that the County Council carry out a suitable pilot of one lane operation on the approach to Derby Street bridge during school term time to measure the actual

rather than modelled impact of this change and thereafter to consider the results of this pilot before taking a final decision on the Derby Street bridge project.

(ii) provide a full explanation as to why no restorative work has taken place to Derby Street bridge since 2017, and also what state the bridge is in now.

29 **GOVERNANCE ARRANGEMENTS - MOTION FROM COUNCILLOR ADRIAN OWENS**

This Motion was withdrawn.

30 **WINDING DOWN TAWD VALE DEVELOPMENT COMPANY - MOTION FROM COUNCILLOR DAVID WESTLEY**

This Motion was withdrawn.

31 **ABANDONED SHOPPING TROLLEYS - MOTION FROM COUNCILLOR JAMES UPJOHN**

The followng Motion was moved and seconded:

"With more people out in our public spaces, Cloughs & Valley's the true scale of the number of abandoned shopping trolleys is becoming ever more apparent. We should be free to enjoy our green spaces without seeing so many abandoned trolleys which in turn attract other types of litter & fly-tipping.

Crawley, Reading, Swindon & Basildon councils are just a few of the councils that have introduced fines ranging from £50-£100.

That this Council:

A. Formally adopts the powers to remove abandoned trolleys with effect from 1 November 2021.

B. Announces in at least 1 local newspaper that West Lancashire Borough Council will now be removing abandoned trolleys, once the powers have come into effect

C. Consults people affected (and their representatives)

D. Starts issuing charges for the removal, storage & return of abandoned shopping trolleys from our Borough Supermarkets."

RESOLVED: That this Council:

A. Formally adopts the powers to remove abandoned trolleys with effect from 1 November 2021.

B. Announces in at least 1 local newspaper that West Lancashire

Borough Council will now be removing abandoned trolleys, once the powers have come into effect

C. Consults people affected (and their representatives)

D. Starts issuing charges for the removal, storage & return of abandoned shopping trolleys from our Borough Supermarkets.

……..
THE MAYOR