

## COUNCIL

**HELD: Wednesday, 23 February 2022**

Start: 7.30 pm

Finish: 11.30 pm

## PRESENT:

Councillor: G Johnson (Mayor)

Mrs M Westley (Deputy Mayor)

Councillors:

T Aldridge

Mrs M Blake

Clandon

C Coughlan

Daniels

C Dereli

T Devine

Eccles

Fennell

N Furey

J Gordon

Hirrell

Juckes

Mrs J Marshall

K Mitchell

I Moran

P O`Neill

Turpin

A Owens

I Rigby

J Thompson

D West

D Whittington

K Wilkie

A Yates

Mrs P Baybutt

A Blundell

R Cooper

V Cummins

I Davis

N Delaney

G Dowling

S Evans

J Finch

Y Gagen

S Gregson

Howard

K Lockie

J Mee

J Monaghan

M Nixon

D O`Toole

G Owen

E Pope

Mrs D Stephenson

Upjohn

D Westley

J Wilkie

J Witter

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer

Chris Twomey, Corporate Director of Transformation & Resources

Lisa Windle, Head of Corporate and Customer Services

Kay Lovelady, Legal & Democratic Services Manager

Jacky Denning, Democratic Services Manager

Simon Peet, Corporate Finance Manager (Deputy S151)

Thomas Lynan, Electoral Services Manager

## 100 PRAYERS

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

## 101 APOLOGIES

Apologies for absence were received on behalf of Councillors Nicola Pryce-Roberts

and Ann Sutton.

**102 DECLARATIONS OF INTEREST**

The following declarations were received:

1. All Members present declared a pecuniary interest in item 9 'Members' Allowances Scheme 2022/23 and in relation to item 12 'Determination of Council Tax 2022/23', but were entitled to speak and vote by virtue of an exemption.
  2.
    - a) Councillors Mrs Blake, Dereli, Gordon, Howard, Mrs Marshall, Mee, Moran, Owen, Pope, Whittington and Witter declared a pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Revenue & Capital Programme Budget Setting 2022/23' 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.\*
    - b) Councillors Aldridge, O'Toole, Pope and D Westley declared a pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Revenue & Capital Programme Budget Setting 2022/23', as Members of Lancashire County Council (LCC) as did Councillors Coughlan, Cummins and Gagen as employees of LCC, and indicated that they would not participate in any detailed discussions which affected LCC.\*
    - c) Councillor Coughlan declared a disclosable pecuniary interest in relation to relevant lines in the budget in respect of item 11 'Revenue & Capital Programme Budget Setting 2022/23' in respect of his appointment to West Lancashire Community Leisure.\*
- \* By virtue of a dispensation granted by the Standards Committee all Councillors who have disclosable pecuniary or pecuniary interests in relation to relevant lines in the budget may participate and vote in the budget debates but not engage in detailed discussions about matters which affect those interests.
3. Councillors Mrs Blake, Dereli, Gordon, Howard, Mrs Marshall, Mee, Moran, Owen, Pope, Whittington and Witter declared a non-pecuniary interest in relation to item 12 'Determination of Council Tax 2022/23' in view of their membership of a Parish Council.
  4. Councillors Aldridge, O'Toole, Pope and D Westley declared a non pecuniary interest in relation to item 12 'Determination of Council Tax 2022/23', as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.
  5. Councillors Delaney, 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 13 'Housing Account – Revenue and Capital Budget Setting' 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).

6. Councillors Aldridge, Gregson, Mee, Nixon, and K Wilkie declared a non-pecuniary interest in relation to item 13 'Housing Account – Revenue and Capital Programme' 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.
7. Councillors Pope and David Westley declared a non pecuniary interest in item 8 'Pay Policy Statement 2022/23' as a member of the Lancashire County Council Pension Fund Committee.
8. Councillor O'Toole declared a non pecuniary interest in relation to item 12 'Determination of Council Tax 2022/23' as a Member of Lancashire Combined Fire & Rescue Authority and Councillor K Wilkie as an employee.
9. Councillor Dowling declared a non pecuniary interest in relation to agenda item 12 'Determination of Council Tax 2022/23' as a member appointed to the Police and Crime Panel, as did Councillor Baybutt as her son is a police officer in Lancashire Constabulary.

103

**MINUTES**

RESOLVED: That the minutes of the extraordinary meeting of Council held on Thursday 27 January 2022 be received as a correct record and signed by the Mayor.

104

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

The Mayor announced:

- A. The charity football game on Sunday 27th March is now a Skem United past players & Holyoaks celebs team, with the FA Amateur Cup coming back to Skelmersdale for the event to commemorate it being won by Skelmersdale United in 1971.
- B. Mayors Charity Ball is going ahead on Friday 22nd April 2022 at Hurlston Hall Golf Club
- C. Final fund raising evening of the year will be a blind wine tasting quiz evening

at St Anne's Social Centre, Ormskirk on Friday 13th May 2022, full details to follow nearer the time.

- D. That Tom Lyman has been awarded the Association of Electoral Administrators Diploma. Only 75 people in the country, in the history of the qualification, have been awarded the Diploma and Tom is one of only two practicing elections officers with the qualification in the north west. Mark Leather has also been awarded the AEA Certificate qualification.

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

There were no items under this heading.

106 **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. Audit & Governance Committee – Wednesday 26 January 2022, subject to Minute 9 being amended to read:  
"That members noted progress in the year to date and requested that the Audit Report on the Derby Street Refurbishment be presented to the next Audit & Governance meeting on 22 March 2022." And this be referred back to the Committee for consideration.
- B. Licensing & Appeals Committee – Tuesday 8 February 2022
- C. Planning Committee – Wednesday 9 February 2022

107 **PAY POLICY STATEMENT 2022/23**

Consideration was given to the report of the Corporate Director of Transformation & Resources, as contained on pages 913 to 936 of the Book of Reports, which sought approval of the Pay Policy Statement for 2022/23, detailing the Authority's policy on Workforce remuneration, as required by the Localism Act 2011.

- RESOLVED: A. That the Pay Policy Statement for 2022/23 attached at Appendix (i) be approved, published on the Council's website and included in the Constitution.
- B. That the approval of any administrative updates following a pay award implementation during any particular year is delegated to the Corporate Director of Transformation & Resources in consultation with the portfolio holder for Human Resources.

108 **MEMBERS ALLOWANCES SCHEME 2022/23**

Consideration was given to the report of the Chief Operating Officer, as contained on pages 937 to 944 of the Book of Reports, which sought approval of the Members' Allowances Scheme for 2022/23 and the Membership of the IRP.

- RESOLVED:
- A. That it be noted that the IRP has not been asked for a report this year, but met as referred to in paragraph 3.4 of the report.
  - B. That a Members Allowance Scheme be made, effective from 1 April 2022, in accordance with the current scheme, incorporating:
    - (a) A Basic Allowance of £4,842 (no increase)
    - (b) Provision for SRA payments, as detailed on the Schedule attached as Appendix 1 (no change)
    - (c) Childcare and Dependent Carer's Allowance to be set at the same level as the Living Wage (£9.50 per hour).
  - C. That the Corporate Director of Transformation & Resources update the Members' Allowances Scheme for the period commencing 1 April 2022, such scheme to be incorporated into the Constitution and subsequently published.
  - D. That the Membership of the IRP for 2022/23 and the respective terms of office be noted and endorsed as follows:

Mrs G Stanley (Chairman)	1 May 2024
Mr J Boardman	1 May 2023
Mr I Thompson	1 May 2025

(Note: The order of the agenda was revised to allow consideration of agenda items 19, 20 and 21)

109 **SUSPENSION OF COUNCIL PROCEDURE RULE 13.4**

RESOLVED: That Council Procedure Rule 13.4 be suspended to enable the Portfolio Holder/Shadow Portfolio Holder/Spokesperson for OWL to present their budget statements, in respect of agenda items 11 (Revenue and Capital Programme Budget Setting 2022/23) and 13 (Housing Account – Review and Capital Budget Setting).

110 **\*REVENUE & CAPITAL PROGRAMME BUDGET SETTING**

Consideration was given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 945 to 1004 of the Book of Reports, which presented, at Appendix A, the Medium Term Financial Strategy (MTFS) for the 3 years ending 31st March 2025 together with the Revenue Budget for 2022/23 and the Capital Programme for the 3 years ending 31st March 2025.

A revised Appendix A had been circulated prior to the meeting, together with

Amendments setting out the Conservative Group and the Our West Lancs Group's budget proposals.

The Portfolio Holder for Transformation & Resources, moved a Motion that provided details of the Labour Budget Proposals, which was seconded.

Amendment (1) from the Conservative Spokesperson was moved and seconded as follows:

"That the following selected fees and charges be increased as detailed:

Planning			£23,458
Building Control	£139,122	5.00%	£6,956
Trade	£378,187	5.00%	£18,909
Bulky	£81,289	7.50%	£6,097
Waste Other Sales	£41,000	5.00%	£2,050
Pest Control	£36,389	5.00%	£1,819
Land Charges	£61,744	5.00%	£3,087
Sports, Allotments & Parks	£38,305	5.00%	£1,915
			£64,292"

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The meeting was adjourned for 10 minutes  
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In accordance with Council Procedure Rule 16.5, voting on Amendment (1) was recorded as follows:

FOR: Councillors: Mrs Baybutt, Mrs Blake, Blundell, Daniels, Eccles, Gordon, Hirrell, Howard, Johnson, Jukes, Mrs Marshall, Mee, Mitchell, O'Toole, Owens, Pope, Rigby, Mrs Stephenson, Turpin, D Westley, Mrs Westley, Whittington and Witter (TWENTY THREE)

AGAINST: Councillors: Aldridge, Cooper, Coughlan, Cummins, Delaney, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Lockie, Monaghan, Moran, Nixon, O'Neill, Owen, Upjohn, West, J Wilkie, K Wilkie and Yates (TWENTY FOUR)

ABSTENTIONS: Councillors: Clandon, Davis and Thompson (THREE)

(Note: Councillor Dereli left the meeting prior to the vote)

Amendment (1) was LOST.

Amendment (2) from the Conservative Spokesperson was moved and seconded as follows:

"That in relation to R13 - Funding for Growth Lancashire from 2023/24 be ceased, as

there is no measure of effectiveness."

In accordance with Council Procedure Rule 16.5, voting on Amendment (2) was recorded as follows:

FOR: Councillors: Aldridge, Mrs Baybutt, Mrs Blake, Blundell, Clandon, Cooper, Coughlan, Cummins, Daniels, Davis, Delaney, Devine, Dowling, Eccles, Evans, Fennell, Finch, Furey, Gagen, Gordon, Gregson, Hirrell, Howard, Johnson, Juckes, Lockie, Mrs Marshall, Mee, Mitchell, Monaghan, Moran, Nixon, O'Neill, O'Toole, Owen, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, Upjohn, West, D Westley, Mrs Westley, Whittington, J Wilkie, K Wilkie, Witter and Yates (FORTY NINE)

AGAINST: (NONE)

ABSTENTIONS: Councillor Owens (ONE)

Amendment (2) was CARRIED.

Amendment (3) from the Conservative Spokesperson was moved and seconded as follows:

"That in relation to:

- R23 & R24 - Community Connectors - agree 1 yr only Covid funded.
- R35 - 10% recovery rather than 5% on debt
- Improved Planning Enforcement - additional Officer & Solicitor at £101,000 each year"

In accordance with Council Procedure Rule 16.5, voting on Amendment (3) was recorded as follows:

FOR: Councillors: Mrs Baybutt, Mrs Blake, Blundell, Clandon, Daniels, Davis, Eccles, Gordon, Hirrell, Howard, Johnson, Juckes, Mrs Marshall, Mee, Mitchell, O'Toole, Owens, Pope, Mrs Stephenson, Thompson, Turpin, Upjohn, D Westley, Mrs Westley, Whittington and Witter (TWENTY SIX)

AGAINST: Councillors: Aldridge, Cooper, Coughlan, Cummins, Delaney, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Lockie, Monaghan, Moran, Nixon, O'Neill, Owen, Rigby, West, J Wilkie, K Wilkie and Yates (TWENTY FOUR)

ABSTENTIONS: (NONE)

Amendment (3) was CARRIED.

Amendment (4) from the Our West Lancashire Spokesperson was moved and seconded as follows:

"That in relation to 'QE2 Jubilee Fountain - Coronation Park', include £50,000 Capital in 2022/23 and £6,000 maintenance each year."

In accordance with Council Procedure Rule 16.5, voting on Amendment (3) was recorded as follows:

**FOR:** Councillors: Mrs Baybutt, Mrs Blake, Blundell, Daniels, Eccles, Gordon, Hirrell, Howard, Jukes, Mrs Marshall, Mee, O'Toole, Owens, Pope, Mrs Stephenson, Turpin, D Westley, Mrs Westley, Whittington and Witter (TWENTY)

**AGAINST:** Councillors: Aldridge, Clandon, Cooper, Coughlan, Cummins, Davis, Delaney, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Johnson, Lockie, Mitchell, Monaghan, Moran, Nixon, O'Neill, Owen, Rigby, Thompson, Upjohn, West, J Wilkie, K Wilkie and Yates (THIRTY)

**ABSTENTIONS:** (NONE)

Amendment (4) was LOST.

Amendment (5) from the Our West Lancashire Spokesperson was moved and seconded as follows:

"That the fees and charges for Planning be increased to £23,458."

In accordance with Council Procedure Rule 16.5, voting on Amendment (2) was recorded as follows:

**FOR:** Councillors: Aldridge, Mrs Baybutt, Mrs Blake, Blundell, Clandon, Cooper, Coughlan, Cummins, Daniels, Davis, Delaney, Devine, Dowling, Eccles, Evans, Fennell, Finch, Furey, Gagen, Gordon, Gregson, Hirrell, Howard, Johnson, Jukes, Lockie, Mrs Marshall, Mee, Mitchell, Monaghan, Moran, Nixon, O'Neill, O'Toole, Owen, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, Upjohn, West, D Westley, Mrs Westley, Whittington, J Wilkie, K Wilkie, Witter and Yates (FIFTY)

Amendment (5) was CARRIED.

(Note: Councillors Mrs Blake and Ms Jukes left the meeting.)

Amendment (6) from the Our West Lancashire Spokesperson was moved and seconded as follows:

"That the following be included:

- Reinstate Christmas tree at Ormskirk parish church and fund larger, better tree in Skelmersdale - £3,000 revenue each year"
- Christmas decorations for new town centre area Skelmersdale - £25,000 Capital Scheme"

In accordance with Council Procedure Rule 16.5, voting on Amendment (6) was recorded as follows:

**FOR:** Councillors: Aldridge, Mrs Baybutt, Blundell, Clandon, Cooper, Coughlan,



Cummins, Daniels, Davis, Delaney, Devine, Dowling, Eccles, Evans, Fennell, Finch, Furey, Gagen, Gordon, Gregson, Hirrell, Howard, Johnson, Lockie, Mrs Marshall, Mee, Mitchell, Monaghan, Moran, Nixon, O'Neill, O'Toole, Owen, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Upjohn, West, D Westley, Mrs Westley, Whittington, J Wilkie, K Wilkie, Witter and Yates (FORTY SEVEN)

AGAINST: Councillor Turpin (ONE)

Amendment (6) was CARRIED.

Amendment (7) from the Our West Lancashire Spokesperson was moved and seconded as follows:

"That a 1 year trial for free car parking in Ormskirk, Monday and Tuesday from 1pm be undertaken, to measure the impact on footfall, at a cost of £50,000 in year 2022/23."

In accordance with Council Procedure Rule 16.5, voting on Amendment (7) was recorded as follows:

FOR: Councillors: Mrs Baybutt, Blundell, Clandon, Daniels, Davis, Eccles, Gordon, Hirrell, Howard, Johnson, Mitchell, Mrs Marshall, Mee, O'Toole, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, D Westley, Mrs Westley, Whittington and Witter (TWENTY FOUR)

AGAINST: Councillors: Aldridge, Cooper, Coughlan, Cummins, Delaney, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Lockie, Monaghan, Moran, Nixon, O'Neill, Owen, Upjohn, West, J Wilkie, K Wilkie and Yates (TWENTY FOUR)

As there was an equality in the vote, the Mayor (Chairman) used his casting vote:  
FOR

Amendment (7) was CARRIED.

Amendment (8) from the Our West Lancashire Spokesperson was moved and seconded as follows:

"That 4 Community Orchards including one at West End Park or Whittle Drive, Ormskirk be included at a Capital cost of £6,000."

Following a debate, Amendment 8 was altered by the mover, seconder and with the agreement of the meeting, to read as follows:

"That a Task & Finish Group, under the Corporate & Environmental Overview & Scrutiny Committee be established to consider Community Environmental Improvements, including Community Orchards."

In accordance with Council Procedure Rule 16.5, voting on Altered Amendment (8) was recorded as follows:

## COUNCIL

HELD: Wednesday, 23 February 2022

FOR: Councillors: Aldridge, Mrs Baybutt, Blundell, Clandon, Cooper, Coughlan, Cummins, Daniels, Davis, Delaney, Devine, Dowling, Eccles, Evans, Fennell, Finch, Furey, Gagen, Gordon, Gregson, Hirrell, Howard, Johnson, Lockie, Mrs Marshall, Mee, Mitchell, Monaghan, Moran, Nixon, O'Neill, O'Toole, Owen, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, Upjohn, West, D Westley, Mrs Westley, Whittington, J Wilkie, K Wilkie, Witter and Yates (FORTY EIGHT)

AGAINST: (NONE)

Altered Amendment (8) was CARRIED.

(Note: Councillor Aldridge left the meeting.)

Amendment (9) from the Our West Lancashire Spokesperson was moved and seconded as follows:

"That Conservation Areas Shop Front Improvement Fund be included at a Capital cost of £50,000."

Following a debate, Amendment 9 was altered by the mover, seconder and with the agreement of the meeting, to read as follows:

"That a Task & Finish Group, under the Corporate & Environmental Overview & Scrutiny Committee be established to consider Shop Front Improvements, including any potential external funding sources."

In accordance with Council Procedure Rule 16.5, voting on Altered Amendment (9) was recorded as follows:

FOR: Councillors: Mrs Baybutt, Blundell, Clandon, Cooper, Coughlan, Cummins, Daniels, Davis, Delaney, Devine, Dowling, Eccles, Evans, Fennell, Finch, Furey, Gagen, Gordon, Gregson, Hirrell, Howard, Johnson, Lockie, Mrs Marshall, Mee, Mitchell, Monaghan, Moran, Nixon, O'Neill, O'Toole, Owen, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, Upjohn, West, D Westley, Mrs Westley, Whittington, J Wilkie, K Wilkie, Witter and Yates (FORTY SEVEN)

AGAINST: (NONE)

Altered Amendment (9) was CARRIED.

RESOLVED: A. That the General Revenue Account (GRA) budget and the Medium Term Capital Programme be approved based on the proposals presented at the Council meeting by the Portfolio Holder for Transformation & Resources (revised Appendix A) subject to the inclusion of the following:

- (i) R13 - Funding for Growth Lancashire from 2023/24 be ceased, as there is no measure of effectiveness.
- (ii) R23 & R24 - Community Connectors - agree 1 yr only Covid funded.
- (iii) R35 - 10% recovery rather than 5% on debt

- (iv) Improved Planning Enforcement - additional Officer & Solicitor at £101,000 each year
  - (v) That the fees and charges for Planning be increased to £23,458
  - (vi) Reinstate Christmas tree at Ormskirk parish church and fund larger, better tree in Skelmersdale - £3,000 revenue each year
  - (vii) Christmas decorations for new town centre area Skelmersdale - £25,000 Capital Scheme"
  - (viii) That a 1 year trial for free car parking in Ormskirk, Monday and Tuesday from 1pm be undertaken, to measure the impact on footfall, at a cost of £50,000 in year 2022/23.
- B. That a Task & Finish Group, under the Corporate & Environmental Overview & Scrutiny Committee be established to consider Community Environmental Improvements, including Community Orchards.
- C. That a Task & Finish Group, under the Corporate & Environmental Overview & Scrutiny Committee be established to consider Shop Front Improvements, including any potential external funding sources.
- D. That the GRA Reserves Policy set out at in Annex D to the revised Appendix be approved.
- E. That the Minimum Reserves Provision (MRP) Policy set out at in section I of the revised Appendix be approved.
- F. That the Financial Control Policy set out at in section J of the revised Appendix be approved.
- G. That the Sales, Fees & Charges Policy set out in section K of the revised Appendix be approved.
- H. That delegated authority be given to the Chief Operating Officer and the Corporate Directors to take all necessary action to implement the changes resulting from the budget proposals.
- J. That delegated authority be given to Heads of Service to take all necessary action to implement the agreed Capital Programme.
- K. That the Medium Term Financial Strategy (MTFS) for the 3 years ending 31 March 2025 available at Table 1 of section A of the revised Appendix be approved.
- L. That a major target of the MTFS is to grow recurring non-taxation income over the 3yrs to 2025 and that this is considered a key performance indicator (KPI) for this strategy. (section D(8)

of the revised Appendix)

(Note: In accordance with Council Procedure rule 9, a Motion to allow the meeting to continue past 11pm, to consider the remaining business on the agenda, was moved and seconded. A vote was taken on the Motion, which was CARRIED.)

111 **\*DETERMINATION OF COUNCIL TAX**

Consideration was given to the revised report, circulated prior to the meeting, of the Corporate Director of Transformation & Resources, which sought approval to set the Council Tax rate for each property band for the whole of the Borough Council's area, including the Council Tax rate as set by the County Council, the Police and Crime Commissioner for Lancashire, the Lancashire Combined Fire Authority, and the local Parish Council in parished areas and to confirm the statutory resolutions that are required in order to set the Council Tax for 2022/23.

A Motion, to approve recommendations 2.1 to 2.7 in the revised report, was moved and seconded.

In accordance with Council Procedure Rule 16.5, voting was recorded as follows:

FOR: Councillors: Mrs Baybutt, Blundell, Clandon, Cooper, Coughlan, Daniels, Davis, Delaney, Devine, Dowling, Eccles, Evans, Fennell, Finch, Gagen, Gordon, Gregson, Hirrell, Howard, Johnson, Lockie, Mrs Marshall, Mee, Mitchell, Moran, O'Neill, O'Toole, Owen, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, Upjohn, West, D Westley, Mrs Westley, Whittington, J Wilkie, K Wilkie, Witter and Yates (FORTY THREE)

AGAINST: Councillor Furey (ONE)

ABSENTIONS: (NONE)

The Motion was CARRIED.

- RESOLVED: A. That it be noted that on the 31 January 2022, the Borough Treasurer declared the Council Tax Base amounts set out in Appendix A for the financial year 2022/23 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
- B. That the Budget for the Council's own purposes for 2022/23 (excluding parish precepts) be set at £12,394,356 in accordance with the earlier Budget Requirement report.
- C. That the following amounts be now calculated by the Council for the financial year 2022/2023 in accordance with the Local Government Finance Act 1992 (the Act):
- a) £67,431,883 being the aggregate of the amounts, which the

Council estimates for the items, set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

- b) £58,526,397 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act
- c) £8,905,486 being the amount by which the aggregate at C(a) above exceeds the aggregate at C(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
- d) £236.41 being the amount at C(c) above divided by 37,669.71 (the Tax Base) calculated by the Council in accordance with Section 31(B) of the Act, as the basic amount of its Council Tax for 2022/2023.
- e) £678,798 being the aggregate amount of all special items (i.e. Parish Precepts) referred to in Section 34(1) of the Act.
- f) £218.39 being the amount at C(d) above, less the result given by dividing the amount at C(e) above by 37,669.71 (the Tax Base), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for 2022/2023 for dwellings in those parts of its area to which no special item relates.

- g) Part of the Council's area:

	£. p
Aughton	18.80
Bickerstaffe	32.03
Bispham	0.00
Burscough	38.83
Dalton	21.72
Downholland	39.95
Great Altcar	12.48
Halsall	19.53
Hesketh with Becconsall	41.24
Hilldale	56.99
Lathom	17.98
Lathom South	27.83
Newburgh	36.40
North Meols	33.68
Parbold	33.76
Rufford	40.12
Scarisbrick	18.08
Simonswood	20.21
Tarleton	34.13
Up Holland	22.96

Wrightington

16.56

being the amounts given by adding to the amount at C(f) above the amounts of the special item relating to dwellings in those parts of the Council's area mentioned above divided in each case by the relevant Tax Base for those areas, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of the Council Tax for 2022/2023 for dwellings in those parts of its area to which a special item (i.e. Parish Precepts) relate.

- h) Part of the Council's area for each valuation band, being the amounts given by multiplying the amounts at C(f) and C(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (See revised Schedule 1).

- D. That it be noted that for the year 2022/2023 Lancashire County Council has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwelling shown below:

**VALUATION BANDS**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£. p	£. p	£. p	£. p	£. p	£. p	£. p	£ .p
1009.53	1,177.78	1,346.04	1,514.29	1,850.80	2,187.31	2,523.82	3,028.58

- E. That it be noted that for the year 2022/2023 the Police and Crime Commissioner for Lancashire has stated the following amounts in precept issued to the Council in accordance with Section 40 of the Act for each of the categories of dwelling shown below:

**VALUATION BANDS**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£. p	£. p	£. p	£. p	£.p	£. p	£. p	£. p
157.63	183.91	210.18	236.45	288.99	341.54	394.08	472.90

- F. That it be noted that for the year 2022/2023 the Lancashire Combined Fire Authority has stated the following amounts in precept issued to the Council in accordance with Section 40 of the Act for each of the categories of dwelling shown below:

## VALUATION BANDS

A	B	C	D	E	F	G	H
£. p	£. p	£. p	£. p	£. p	£. p	£. p	£. p
51.51	60.10	68.68	77.27	94.44	111.61	128.78	154.54

- G. That having calculated the aggregate in each case of the amounts at C(h), D, E and F, the Council, in accordance with Section 30(2) of the Act, hereby sets the amounts shown in the revised Schedule 2 as the amounts of Council Tax for the year 2022/2023 for each of the categories of dwellings shown.

(Note: Councillor Cummins, Monaghan and Nixon left the meeting during consideration of this item.)

## 112 HOUSING ACCOUNT - REVENUE AND CAPITAL BUDGET SETTING

Consideration as given to the Head of Finance, Procurement & Commercial Services, which sought approval to set the Housing Revenue Account (HRA) budget and capital investment programme for the next financial year 2022/23.

The Portfolio for Housing and Landlord Services, moved a Motion, as displayed on the screen, circulated prior to the meeting and contained in the Book of Reports, which set out Labour proposals in relation to the Draft Housing Revenue Account Estimates for 2022/23 and Public sector Housing Capital Investment Programme for 2022/23, which was seconded.

An Amendment from the Our West Lancashire Group, displayed on the screen, circulated prior to the meeting and contained in the Book of Reports, was moved and seconded.

The Portfolio Holder advised that a further report would be brought back in relation to the Housing Stock Condition Survey.

The Amendment was WITHDRAWN.

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

- RESOLVED:
- A. That the rent and service charges set within delegated authority, as detailed in sections 4 and 5 of the report, be noted and endorsed.
  - B. That the HRA revenue budget estimates be approved, subject to the changes set out in the Motion circulated.
  - C. That the Housing capital budget, approved in February 2021, be noted as continuing.
  - D. That, subject to any updated approvals in regard to Tawd Valley

Developments elsewhere on the Agenda, the HRA budgets be added to reflect the HRA share of each phase 2 and phase 3 scheme cost.

- E. That the HRA Reserves Policy set out in Appendix B to the report, be approved.
- F. That delegated authority be given to the Director of Transformation and Resources to take all necessary action to implement the decisions of Council.

113 **CAPITAL FINANCIAL AND TREASURY MANAGEMENT FRAMEWORK**

Consideration was given to the report of the Head of Finance, Procurement and Commercial Services, which set the framework for capital financing and treasury management operations for the next financial year.

- RESOLVED:
- A. That the projected position in respect of the Prudential Indicators for 2021-22 set out in Appendix 1 to the report, be noted.
  - B. That the Prudential Indicators for the next three years set out in Appendix 2, be agreed.

114 **REVIEW OF THE MEMBERS' CODE OF CONDUCT**

Consideration was given to the report of the Legal & Democratic Services Manager (Monitoring Officer), which sought approval of the revised Members', Parish' and Town Councils Code of Conduct following which the Code will be adopted.

- RESOLVED:
- A. That the amended draft Code of Conduct be agreed and adopted forthwith, and the Constitution be updated accordingly.
  - B. That the Legal & Democratic Services Manager be given authority to liaise with the borough's Parish & Town Councils with a view to them adopting the revised Code.

115 **REVIEW OF THE WHISTLEBLOWING POLICY**

Consideration was given to the report of the Legal & Democratic Services Manager (Monitoring Officer), which sought approval of the revised Whistleblowing Policy following which the Code shall be adopted.

- RESOLVED: That the amended draft Whistleblowing Policy be adopted forthwith, and the Constitution be updated accordingly.

116 **APPOINTMENT OF COMMITTEES 2021/22**

Consideration was given to the report of the Chief Operating Officer, which considered the allocation of seats on Committees to the political groups for the remainder of the Municipal Year 2021/22.



A Motion to move the changes identified in the Appendix circulated prior to the meeting, was moved and seconded.

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

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

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

- RESOLVED: A. That, for the period ending with the next Annual Meeting of the Council, or such lesser period should the political balance or allocation to political groups change during the year requiring a review under the provisions of the Local Government and Housing Act 1989, the allocation of seats to the political groups on Committees be as detailed in the Appendix to the report, as amended.
- B. That the representatives of the political groups on the Committees shall be as indicated on the Appendix to the report, as amended.

117 **APPOINTMENT OF VICE-CHAIRMAN OF THE AUDIT & GOVERNANCE COMMITTEE**

Consideration was given to the report of the Legal & Democratic Services Manager, which sought to appoint the Vice-Chairman of the Audit & Governance Committee.

The Leader advised that Councillor Pryce-Roberts should be removed from the Committee and appointed Councillor Julian Finch as the replacement Member.

A nomination to appoint Councillor Julian Finch as Vice-Chairman, was moved and seconded.

A further nomination to appoint Councillor Paul O'Neill as Vice Chairman, was moved and seconded.

A vote was taken.

- RESOLVED: That Councillor Paul O'Neill who is a Member of the Audit & Governance Committee, be appointed Vice-Chairman of the Committee for the remainder of the 2021/22 Municipal Year.

**(The following 3 items were considered prior to the Revenue & Capital Programme Budget Setting 2022/23)**

**118 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.

**119 INDEPENDENT REVIEW OF TAWD VALLEY DEVELOPMENTS LTD**

Consideration was given to the report of the Chief Operating Officer, which detailed the results of an independent review into the Council's wholly owned company, Tawd Valley Developments Limited (TVDL).

A Motion to approve the recommendations at 2.1 and 2.2, was moved and seconded.

An Amendment and revised Appendix 2, circulated prior to the meeting, was moved and seconded.

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

**FOR:** Councillors: Mrs Baybutt, Mrs Blake, Blundell, Clandon, Daniels, Davis, Eccles, Gordon, Hirrell, Howard, Johnson, Jukes, Mrs Marshall, Mee, Mitchell, O'Toole, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, D Westley, Mrs Westley, Whittington and Witter (TWENTY SIX)

**AGAINST:** Councillors: Aldridge, Cooper, Coughlan, Cummins, Delaney, Dereli, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Lockie, Monaghan, Moran, Nixon, O'Neill, Owen, Upjohn, West, J Wilkie, K Wilkie and Yates (TWENTY FIVE)

**ABSTENTIONS:** (NONE)

The Amendment was CARRIED

A Vote was taken on the Substantive Motion, which at the request of a member was recorded as follows:

**FOR:** Councillors: Mrs Baybutt, Mrs Blake, Blundell, Clandon, Daniels,

Davis, Eccles, Gordon, Hirrell, Howard, Johnson, Jukes, Mrs Marshall, Mee, Mitchell, O'Toole, Owens, Pope, Rigby, Mrs Stephenson, Thompson, Turpin, D Westley, Mrs Westley, Whittington and Witter (TWENTY SIX)

AGAINST: Councillors: Aldridge, Cooper, Coughlan, Cummins, Delaney, Dereli, Devine, Dowling, Evans, Fennell, Finch, Furey, Gagen, Gregson, Lockie, Monaghan, Moran, Nixon, O'Neill, Owen, Upjohn, West, J Wilkie, K Wilkie and Yates (TWENTY FIVE)

ABSTENTIONS: (NONE)

The Substantive Motion was CARRIED.

Nominations to appoint Councillor David Westley as Chairman of the TVD Shareholders Committee and Councillor Ian Davis as Vice-Chairman, were moved and seconded.

A vote was taken, the appointments were AGREED.

- RESOLVED:
- A. That the independent review on TVDL set out in Appendix 1 be noted.
  - B. That with immediate effect TVDL to stop all developments outside of the borough.
  - C. That with immediate effect TVDL to stop all developments within the borough, other than those sites already in progress.
  - D. That a Member Shareholder Committee be established to make any recommendations to Council, to implement a phased and controlled wind down of TVDL, comprising of 2 Labour Members, 2 Conservative Members and 1 Our West Lancashire Member for delegated decision making and scrutiny of TVDL, as follows:

***Tawd Valley Developments Shareholder Committee***

Membership

(5 Members: 2 LAB 2 CON 1 OWL)  
(Chairman) Councillor David Westley  
(Vice-Chairman) Councillor Ian Davis

Functions

- (i) To approve any necessary changes to the Business Plan, if required
- (ii) To monitor and make any necessary decisions (other than to cease development/progression) in respect of the sites in progress.

- (iii) To communicate the shareholders' views to TVDL
- (iv) To evaluate the effectiveness of the TVDL board and the delivery of performance against strategic objectives and the business plan
- (v) To assess any risks to the council offered by TVDL activities
- (vi) To consider and make any recommendations to Council to implement a phased and controlled wind down of TVDL

#### Delegations

This Committee shall exercise the full powers, duties and functions of the Council in relation to points (i) to (vi) above, except in the case of the following:

1. The final decision to wind down TVDL;
2. The decision not to continue with the development/progression of a site that is already in progress;
3. Any decision which would result in the Council incurring a cumulative financial loss on any site which is already in progress,

all of which will be a decision of full Council.

- E. That, subject to D above, it be noted that the Tawd Valley Development Cabinet Working Group will no longer be required to meet.
- F. That with immediate effect no further financial investment be made from WLBC into TVDL and if funding is required, this should be by way of a loan.
- G. That the proposed responses to the review recommendations set out in the revised Appendix 2 accompanying this motion be approved
- H. That any associated costs be met from reserves.

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#### **TAWD VALLEY DEVELOPMENTS LTD - BUSINESS PLAN UPDATE**

Consideration was given to the report of the Chief Operating Officer, which provided financial projections for each of the approved schemes within the Business Plan of Tawd Valley Developments Limited (TVDL), the Council's wholly owned development company.

- RESOLVED:
- A. That the financial approval for the Fairlie scheme be amended as set out in section 4 of the report.
  - B. That the financial projections for the other schemes within the Business Plan set out in Appendix 1 be noted.
  - C. That in accordance with the terms and conditions of Homes

**COUNCIL**

**HELD: Wednesday, 23 February 2022**

England Funding that the positive outcome of the Homes  
England Compliance Audit on the Eskbank scheme be noted.

.....  
**THE MAYOR**