

COUNCIL

HELD: Wednesday, 5 April 2023

Start: 7.30 pm

Finish: 10.08 pm

PRESENT:

Councillor: Mrs M Westley (Mayor)
K Mitchell (Deputy Mayor)

Councillors: T Aldridge M Anderson
R Bailey Mrs M Blake
A Blundell G Clandon
P Burnside C Coughlan
V Cummins D Daniels
I Davis G Dowling
I Eccles A Fennell
J Fillis J Finch
A Fowler N Furey
Y Gagen J Gordon
L Gresty P Hogan
J Howard G Johnson
K Jukes J Mee
R Molloy J Monaghan
M Nixon D O'Toole
D Owen G Owen
A Owens S Patel
E Pope I Rigby
N Pryce-Roberts J Thompson
J Upjohn D West
D Westley D Whittington
J Wilkie K Wilkie
A Yates

Officers: Jacqui Sinnott-Lacey, Chief Operating Officer
Chris Twomey, Corporate Director of Housing, Transformation & Resources
James Pierce, Head of Finance, Procurement and Commercial Services
Paul Charlson, Head of Planning & Regulatory Services
Alan Leicester, Head of Housing Services
Kay Lovelady, Legal & Democratic Services Manager
Jacky Denning, Democratic Services Manager
Thomas Lynan, Electoral Services Manager
Tony Furber, Corporate Finance Manager (Deputy S151 Officer)

In attendance: Simon Goacher Independent Legal Advisor

91 PRAYERS

The Mayor's Chaplain for the evening, Venerable David Garnett, from St Cuthberts, Hasall, led Members and officers in prayer.

92 APOLOGIES

Apologies for absence were received from Councillors Gregson, Hirrell, O'Neill, Marshall and Witter.

The Mayor advised that Amy Nelson, who had received the Rotary Junior Award, was in attendance at the meeting.

The Mayor expressed the Council's sincere sadness at the death of Councillor Ian Davis and Members of the Council paid tribute.

A minute silence was held.

93 DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Gaynar 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 12 'HRA – Damp and Mould Strategy' 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).
2. Councillors Aldridge, Mee, Nixon, Rigby and K Wilkie declared non-pecuniary interests in relation to item 12 'HRA – Damp and Mould Strategy' 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.
3. Councillors Bailey, Coughlan, Cummins and Gagen declared a Disclosable Pecuniary Interest in relation to item 13a) 'Local Government Pay to Council: A Fully Funded, Proper Pay Rise for Council and School Workers Motion' as Local Government employees and indicated that they would leave the room whilst this item was under consideration, as did Councillor Furey as a connected person is a Local Government employee.
4. The following Councillors declared a non-pecuniary interest in relation to item 13a) 'Local Government Pay to Council: A Fully Funded, Proper Pay Rise for Council and School Workers Motion' as members of the following Unions:
 - UNISON: Councillors Furey, Johnson, Nixon and West
 - GMB: Councillors Furey, Pryce-Roberts and Jenny Wilkie

- Unite: Councillors: Burnside, Coughlan, Cummins, Dowling, Fennell, Finch and Gaynar Owen

94 **MINUTES**

RESOLVED: That the minutes of the meeting held on Wednesday 22 February 2023 be received as a correct record and signed by the Mayor.

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

The Mayor announced:

- A. That her final charity fund-raising event would be held on Friday 28 April 2023 at Church House, Ormskirk Parish Church for a Curry and Quiz Night.
- B. That this would be the last meeting for some members of the Council as they would not be standing in the forthcoming elections in May. The Mayor thanked Councillors Blake, Clandon, Gregson, Hirrell, O'Neill, Sutton, Upjohn, Jenny Wilkie and Kevin Wilkie.

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

Council was advised that the following Question and Response had been circulated prior to the meeting:

61 Westgate – Questions from Councillor Adrian Owens

- a) *The date on which 61 Westgate, Skelmersdale became vacant?*
Response
The previous internal Council occupier gave notice and moved out June 2022. As there were no immediate takers for the space - clearance of furniture, equipment and extensive filing was phased for some months after then, as were making good works to décor, carpets etc. Relocation of comms and other plant through external suppliers has become protracted, but this has not prevented the carrying out of viewings.
- b) *The date on which the council started marketing 61 Westgate, Skelmersdale to potential new occupants?*
Response
June 2022.
- c) *The marketing channels utilised to date in relation to marketing 61 Westgate, Skelmersdale?*
Response
Advertising hoardings at the property, Advertisement on the Council's Available Properties Across the Borough Internet web site. Rightmove is advertising offices to rent at the Sandy Lane Centre

- d) *The cost to date of any marketing to secure a new occupant for 61 Westgate, Skelmersdale"*
Response
Under £1k. Plans to ramp up marketing activity if no interest is received shortly exist.

97 **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. Tawd Valley Developments Shareholders Committee – Wednesday, 15 February 2023.
- B. Planning Committee – Thursday, 16 February and 16 March 2023.
- C. Budget/Council Plan Committee – Tuesday 28 February 2023.
- D. Standards Committee – Tuesday 14 March 2023.

98 **PLANNING SERVICES ENFORCEMENT POLICY**

Consideration was give to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 1045 to 1068 of the Book of Reports, which sought adoption of a revised and updated Planning Services Enforcement Policy.

It was noted that the report has also been considered by the Planning Committee on 16 March 2023.

RESOLVED: That the Planning Services Enforcement Policy attached at Appendix 2 to this report be adopted by the Council and operated from 1 May 2023.

99 **HEALTH AND SAFETY STRATEGIC PLAN 2020/23 - UPDATE**

Consideration was give to the report of the Corporate Director of Transformation, Housing & Resources, as contained on pages 1069 to 1084 of the Book of Reports, which provided an update on the progress made in relation to the 2020/23 Health and Safety Strategic Plan.

RESOLVED: That progress against the Health and Safety Strategic Plan 2020/23 be noted.

100 CHANGE OF GOVERNANCE ARRANGEMENTS DRAFT TERMS OF REFERENCE FOR COMMITTEES

Consideration was given to the report of Simon Goacher (Independent Legal Advisor) on behalf of the Chief Operating Officer, as contained on pages 1085 to 1094 of the Book of Reports, which set out draft terms of reference for service committees for consideration, as a basis for stakeholder consultation.

Mr Goacher was present to answer any questions.

The Leader advised that although the subject matter fell within the remit of her relevant Portfolio, she did not support the recommendations in the report.

A Motion circulated prior to the meeting was moved and seconded.

An Amendment was moved and seconded, displayed on the screens and circulated to Members by email.

The meeting adjourned for 15 minutes for Members to consider the Amendment.

The Motion, circulated prior to the meeting, was WITHDRAWN, therefore the Amendment FELL.

A further Motion was moved and seconded.

A vote was taken, the Further Motion was CARRIED.

RESOLVED: A. That the draft terms of reference be rejected as the proposed Service/Policy Committees do not reflect the work of the council and the following range of committees, in addition to the statutory requirements, be used as a basis for stakeholder and public consultation:

- HR and People Services
- Economic Regeneration and Investment
- Health and Wellbeing
- Leisure
- Tourism and Events
- Housing
- Communities
- Community Safety
- Planning Policy (ex statutory planning committee items)
- Street Scene

- Green Initiatives
- Finance

- B. That in the absence of the Political Governance Arrangements Working Group being able to provide a clear cost forecast for the project that all future reports from this Working Group include:
- (i) a cumulative running total of the number of hours that officers have worked on the project beginning April 2022 including briefings, training and all other work.
 - (ii) a detailed listing of all direct expenditure incurred on the project commencing April 2022 including consultancy.

101 **INTERIM AUDITOR FINDINGS REPORT FOR WEST LANCASHIRE 2020-21**

Consideration as given to the report of the Head of Finance, Procurement & Commercial Services, as contained on pages 1095 to 1156 of the Book of Reports, which presented the 2020/21 Interim External Audit Findings Report from Grant Thornton referred to Council from the Audit & Governance Committee.

RESOLVED: That the report be noted.

102 **HRA - DAMP AND MOULD STRATEGY**

Consideration was given to the report of Corporate Director of Transformation, Housing & Resources, as contained on pages 1157 to 1172 of the Book of Reports, which sought approval of the newly developed Housing - Damp and Mould Strategy.

RESOLVED: A. That the Damp and Mould Strategy attached at Appendix A, be approved.

- B. That delegated authority be granted to the Head of Housing Services to make amendments to the strategy, in consultation with the portfolio holder, to address newly arising issues and to incorporate amendments following wider consultation.
- C. That delegated authority be granted to the Head of Housing Services to make minor, inconsequential amendments to the Damp & Mould Strategy.

103 **MOTIONS**

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

104 LOCAL GOVERNMENT PAY TO COUNCIL: A FULLY FUNDED, PROPER PAY RISE FOR COUNCIL AND SCHOOL WORKERS - MOTION FROM COUNCILLOR GARETH DOWLING

A Motion, included on the Agenda for the Meeting, was moved and seconded.

An Amendment displayed on the screen, was moved and seconded.

The Amendment was accepted by the mover and seconder of the Motion, with the agreement of the meeting.

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

RESOLVED: A. That this council notes:

- (i) Local government has endured central government funding cuts of more than 50% since 2010. Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government. Councils across England are now facing a collective funding gap of £2.4bn for the financial year 2023/24 and a cumulative funding gap of £4.08bn for 2024/25 according to UNISON research.
- (ii) Councils led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities. Local government has shown more than ever how indispensable it is. But Covid has led to a massive increase in expenditure and loss of income, and as we emerge from the pandemic, local authorities and schools need far more support from Westminster. Recent funding announcements from the Government relating to schools did nothing to help.
- (iii) Council and school workers kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.
- (iv) Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing at least 25 per cent of their value since 2009/10. Staff are now facing the worst cost of living crisis in a generation, with inflation hitting 10% and many having to make impossible choices between food, heating and other essentials. This is a terrible situation for anyone to find themselves in.
- (v) At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local government has arguably been hit by more severe

- job losses than any other part of the public sector.
- (vi) There has been a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.
 - (vii) Recent research shows that if the Government were to fully fund the unions' 2023 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

B. That this council believes:

- (i) Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our towns and cities running.
- (ii) Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.
- (iii) Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone and who were not offered adequate support through the Covid-19 pandemic.

C. That the Chief Operating Officer writes to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government

105 **ORMSKIRK - BURSCOUGH LINEAR PARK - MOTION INCLUDED BY COUNCILLORS MITCHELL, THOMPSON AND CLANDON**

The Motion, included on the agenda for the meeting, was moved and seconded.

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

A Further Amendment was moved and seconded.

A vote was taken, the Further Amendment was CARRIED and became the Substantive Motion.

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

- RESOLVED:
- A. That it be noted that further progress has been made on the Ormskirk-Burscough linear park with the completion of the new High Grove Park housing estate.
 - B. That the linear park will ultimately provide a positive benefit encouraging walking and cycling in a safer environment while

providing a wildlife corridor. However, Council acknowledges the delay in delivery by the developer of its section of the Ormskirk - Burscough linear park between Abbey Lane in Burscough and Ormskirk, meaning the whole route remains incomplete, and looks forward to its completion.

- C. That Cabinet bring a report to the July 2023 council meeting updating councillors on:
- (i) the Ormskirk – Burscough Linear Park, both the whole project and, in particular at this stage of the project, the steps taken to complete the section between Ormskirk and Abbey Lane in Burscough.
 - (ii) the progress made so far on the Tarleton – Hesketh Bank Linear Park and an updated action plan to complete the whole project.

106 **TREE PRESERVATION ORDERS ENFORCEMENT - MOTION INCLUDED BY COUNCILLOR KATE MITCHELL**

A Motion included on the agenda for the meeting, was moved and seconded.

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

A further Amendment was moved and seconded.

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

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

- RESOLVED: A. That it be noted that many complaints are received from members of the public regarding the felling of mature and established trees in relation to development or future development sites. And that unless trees are specifically identified or have a Tree Protection Order (TPO) already in place then they are open season for developers to remove in favour of their housing plan.
- B. That with the Council's acknowledgement of a climate change emergency and its firm pledge to address it, that more trees being lost at the hands of developers who, instead of 'working' around existing trees within the site that are performing an essential environmental job of sucking up excess water and cleansing our air, remove these trees to enable a few more properties to be squeezed in to enhance their profits. This practice contradicts the Council's Climate Emergency objectives and that replacement planting of young saplings cannot be sufficient mitigation for the trees that have been lost.
- C. That officers bring a report to the Local Plan Cabinet Working

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Group at the earliest opportunity to develop and introduce more robust tree protection measures and conditions to be placed on ALL future development applications to better protect mature and established trees.

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THE MAYOR