

CABINET

HELD: Tuesday, 10 January 2017

Start: 7.00pm

Finish: 7.25pm

PRESENT:

Councillor: Councillor I Moran
(Leader of the Council, in the
Chair)

Portfolio

Councillors:	Councillor Y Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
	Councillor T Aldridge	Portfolio Holder for Older People
	Councillor J Hodson	Portfolio Holder for Planning
	Councillor J Patterson	Portfolio Holder for Housing and Landlord Services
	Councillor K Wilkie	Portfolio Holder for Street Scene
	Councillor K Wright	Portfolio Holder for Health and Community Safety
	Councillor C Wynn	Portfolio Holder for Finance

In attendance: Currie, D Evans, Owens, Pendleton and D Westley
Councillors

Officers:

- Chief Executive (Ms K Webber)
- Director of Leisure and Wellbeing (Mr D Tilleray)
- Director of Housing and Inclusion (Ms J Sinnott-Lacey)
- Director of Development and Regeneration (Mr J Harrison)
- Borough Solicitor (Mr T Broderick)
- Borough Treasurer (Mr M Taylor)
- Borough Transformation Manager and Deputy Director of Housing and Inclusion (Mr S Walsh)
- Interim Director of Street Scene (Mr P Samosa)
- Deputy Director of Leisure and Wellbeing (Mr J Nelson)
- Principal Member Services Officer (Mrs S Griffiths)

57 APOLOGIES

There were no apologies for absence.

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

There were no items of special urgency.

59 DECLARATIONS OF INTEREST

1. Councillors Aldridge (tenant of a Council garage), Patterson (tenant of Council accommodation) and Wright (connected person tenant of Council accommodation) declared disclosable pecuniary/pecuniary interests in agenda items 6(e) (Medium Term Capital Programme) and 6(f) (Housing Account – Revenue and Capital Programme) but considered they were entitled to speak and vote by virtue of an exemption as nothing in these reports relates particularly to their relevant tenancy or lease.
2. Councillor Aldridge declared a non-pecuniary interest in agenda item 6(d) (Funding of voluntary & Other Organisations Working Group – references to the West Lancashire Dial a Ride Association) as a Member of Lancashire County Council, as did Councillor Gagen as an employee of Lancashire County Council.
3. Councillor Hodson declared a non-pecuniary interest in agenda item 6(a) (Draft Green Infrastructure and Cycling Strategy). He indicated that if reference was made to the Linear Park, as a landowner, his interest would become a disclosable pecuniary interest and that he would leave the meeting.

60 PUBLIC SPEAKING

Representations were received from a resident in relation to the following item:-

Agenda item 6(c) – Granville Park Conservation Area – Character Appraisal Review

61 MINUTES

RESOLVED That the minutes of the Cabinet meeting held on 8 November 2016 be received as a correct record and signed by the Leader.

62 MATTERS REQUIRING DECISIONS

Consideration was given to the report relating to the following matters requiring decisions as contained on pages 1001 – 1494 and 1505 - 1567 of the Book of Reports.

63 DRAFT GREEN INFRASTRUCTURE AND CYCLING STRATEGY

Councillor Hodson introduced the report of the Director of Development and Regeneration which sought approval of the draft Green Infrastructure and Cycling Strategy for public consultation.

Revised recommendations of the Director of Development and Regeneration were circulated at the meeting.

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

RESOLVED (A) That the draft Green Infrastructure and Cycling Strategy at Appendix A to the report be approved for public consultation.

(B) That the Director of Development and Regeneration in consultation with the Portfolio Holder for Planning be authorised to make any necessary minor amendments to the Draft Green Infrastructure and Cycling Strategy before the document is published for consultation.

64

COMMUNITY INFRASTRUCTURE LEVY FUNDING PROGRAMME 2017/18

Councillor Hodson introduced the report of the Director of Development and Regeneration which proposed final recommendations following consultation for the CIL Funding Programme in 2017/18 based on the CIL monies anticipated to have been collected by the Council by 31 March 2017.

A motion from Councillor Hodson was circulated at the meeting.

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

RESOLVED (A) That the consultation feedback report and updated Infrastructure Delivery Schedule provided at Appendices 1 and 2 be noted.

(B) That the Agreed Comments provided by the Corporate and Environmental Overview & Scrutiny Committee (Appendix 5) be noted.

(C) That £150,000 of CIL monies be allocated to the delivery of the Canal Towpath Improvements at Burscough (described in paragraph 6.1 to the report) in 2017/18.

(D) That £23,000 of CIL monies be allocated to the delivery of the following infrastructure projects in 2017/18:-

Project A Stanley Coronation Park Play Area (£20,000)

Project B Mere Sands Wood Visitor Centre Phase 1 (£3,000)

- (E) That the remaining “strategic” CIL monies collected by 31 March 2017 (i.e. those not allocated on the projects agreed under resolutions C) and D) above or spent on projects in the 2016/17 CIL Funding Programme) be “saved” and allocated toward more significant strategic infrastructure projects to be drawn down from as necessary as such significant projects are identified and approved.

65

GRANVILLE PARK CONSERVATION AREA - CHARACTER APPRAISAL REVIEW

Councillor Hodson introduced the report of the Director of Development and Regeneration which provided an assessment of the comments of the Planning Committee meeting held on 8 December 2016 in respect of the above-mentioned report.

A revised report of the Director of Development and Regeneration was circulated at the meeting (pages 1509-1514 of the Book of Reports).

Councillor Hodson circulated a motion at the meeting in this regard.

In reaching the decision below, Cabinet considered the revised report, the motion from Councillor Hodson, the representations made under Public Speaking (agenda item 4) and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the Granville Park Conservation Area Character Appraisal Update (as outlined in Appendix 4 of the revised addendum report) be deferred in order to undertake further consultation on the inclusion of the Bowling Green to the north of the Cockbeck Tavern within the Granville Park Conservation Area and any comments thereon be considered at a future Cabinet meeting.

- (B) That subject to there being no objections received as a result of the consultation on the revised Conservation Area boundary referred to in (A) above, the Granville Park Conservation Area Appraisal Update (including the revised Conservation Area boundary including the Cockbeck Tavern and Bowling Green, identified as extension A in appendix 5) and the making of a new Article 4 Direction to cover the new Conservation Area Boundary be approved.

- (C) That subject to there being no objections received as a result of the consultation on the revised Conservation Area boundary referred to in (A) above, the Director of Development and Regeneration in consultation with the Portfolio Holder for

Planning be given delegated authority to make the necessary arrangements to inform residents and publish the approved Granville Park Conservation Area Character Appraisal Update.

- (D) That subject to there being no objections received as a result of the consultation on the revised Conservation Area boundary referred to in (A) above, the Director of Development and Regeneration in consultation with the Portfolio Holder for Planning be given delegated authority to make the necessary arrangements to amend the Conservation Area boundary, to make the Article 4 Direction to cover the agreed Conservation Area boundary and report back to a future meeting of Cabinet to consider confirmation of the Article 4 Direction.

66 FUNDING OF VOLUNTARY & OTHER ORGANISATIONS WORKING GROUP

Councillor Gagen introduced the report of the Borough Transformation Manager & Deputy Director of Housing and Inclusion which advised Cabinet of the recommendations of the Funding of Voluntary & Other Organisations Cabinet Working Group in respect of the monitoring arrangements for the current grant recipients and the applications for one year revenue funding for 2017/18.

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

RESOLVED (A) That subject to (B) below, the recommendations arising from the scoring of the applications received from voluntary organisations for one year revenue funding from April 2017 by the Funding of Voluntary and Other Organisations Cabinet Working Group at its meeting on 14 December 2016 be endorsed as detailed in the minutes of the meeting attached at Appendix 5 to the report.

- (B) That applicants be advised of Cabinet's recommendations and that funding is not guaranteed but will form part of considerations when the Council's budget is finalised on 22 February 2017.

67 MEDIUM TERM CAPITAL PROGRAMME

Councillor Wynn introduced the report of the Borough Treasurer which set out details on the General Revenue Account medium term capital programme position for the next 3 years.

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

- RESOLVED (A) That the medium term financial position be noted, and consideration be given to how a balanced capital programme can be achieved.
- (B) That the Portfolio Holder for Finance be given delegated authority to submit firm proposals to Council on 22 February 2017 to enable the capital programme to be set.
- (C) That call-in is not appropriate for this item as it is to be submitted to the Executive Overview and Scrutiny Committee on 26 January 2017.

68 HOUSING ACCOUNT - REVENUE AND CAPITAL PROGRAMME

Councillor Patterson introduced the joint report of the Director of Housing and Inclusion and the Borough Treasurer which provided a summary of the Housing Account's financial position.

Appendix B to the report was circulated at the meeting.

Minute no. 32 of the Landlord Services Committee (Cabinet Working Group) held on 5 January 2017 was circulated at the meeting.

In reaching the decision below, Cabinet considered Appendix B to the report, the minute of the Landlord Services Committee (Cabinet Working Group) and the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED (A) That the financial position be noted and consideration given to the budget matters set out in the report.
- (B) That the use of the Director of Housing and Inclusion's delegated authority in relation to rent and service charge changes be noted and endorsed.
- (C) That the report be used for consultation purposes prior to the Council considering this matter in February 2017.
- (D) That the Housing Portfolio Holder be given delegated authority to submit firm proposals to Council on 22 February 2017 to enable the budget to be set.
- (E) That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 26 January 2017.

69 GENERAL REVENUE ACCOUNT BUDGET 2017-2018

Councillor Wynn introduced the report of the Borough Treasurer which provided a summary of the current General Revenue Account budget position.

Appendix A to the report was circulated at the meeting.

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

- RESOLVED (A) That the financial position for 2017-18 and later years be noted, and consideration given to how a balanced budget can be achieved.
- (B) That the Portfolio Holder for Finance be given delegated authority to submit firm proposals to Council on 22 February 2017 to enable the budget to be set.
- (C) That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 26 January 2017.

70 QUARTERLY PERFORMANCE INDICATORS Q2 2016-17

Councillor Moran introduced the report of the Borough Transformation Manager & Deputy Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 30 September 2016.

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

- RESOLVED (A) That the Council's performance against the indicator set for the quarter ended 30 September 2016 be noted.
- (B) That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview & Scrutiny Committee on 2 March 2017.

71 GOVERNMENT CONSULTATION ON FUNDING FOR SUPPORTED HOUSING

Councillor Patterson introduced the report of the Director of Housing and Inclusion which proposed a response to the Government consultation on funding for supported housing.

Minute no. 30 of the Landlord Services Committee (Cabinet Working Group) held on 5 January 2017 was circulated at the meeting.

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

RESOLVED (A) That the response at Appendix B to the report be sent by the Director Housing & Inclusion as the Council's response.

(B) That call-in is not appropriate for this item due to the deadline for the consultation response.

72 BEECHTREES REVIVAL - UPDATE

Councillor Patterson introduced the report of the Director of Housing and Inclusion which provided an update and outlined options in respect of the Beechtrees Revival Project.

Minute no. 31 of the Landlord Services Committee (Cabinet Working Group) held on 5 January 2017 was circulated at the meeting.

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

RESOLVED (A) That the progress made in relation to the Beechtrees Revival project be noted.

(B) That option 3, as detailed at paragraph 5.3 of the report be submitted to Council for consideration as part of the budget setting process for 2017/18.

73 TAWD VALLEY PARK PROJECT

Councillor Gagen introduced the report of the Director of Leisure and Wellbeing which considered a request for funding to engage consultants to deliver a detailed master plan in relation to a programme of environmental and recreational improvements in Tawd Valley Park, Skelmersdale.

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

RESOLVED (A) That the allocation of up to £25,000 be approved to undertake the master plan process for the Tawd Valley Park Project.

- (B) That delegated authority be given to the Director of Leisure and Wellbeing to take all steps necessary to engage consultants to deliver the Tawd Valley Park master plan.

74 **NEW LEISURE FACILITIES AND PROCUREMENT OF LEISURE PARTNERSHIP**

Councillor Gagen introduced the report of the Director of Leisure and Wellbeing which sought approval for the engagement of specialist consultants to undertake a financial viability appraisal and options for financing for new leisure provision in Skelmersdale and Ormskirk, to enter into discussion with North Meols Parish Council in relation to the future of Banks Leisure Centre and to initiate discussions with the current leisure provider in regard to an extension to the current leisure services agreement.

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

RESOLVED That the Director of Leisure and Wellbeing and the Borough Treasurer, in consultation with the Portfolio Holder for Leisure & Human Resources and the Portfolio Holder for Finance be authorised to:-

- i) Engage specialist consultants to undertake a financial viability appraisal and options for replacement leisure facilities in Skelmersdale and Ormskirk, in accordance with paragraph 9.1 of the report.
- ii) Enter in to discussions with North Meols Parish Council regarding options for the management of Banks Leisure Centre.
- iii) To agree and conclude all necessary arrangements with the current leisure provider to enable an extension to the Leisure Services Agreement in accordance with paragraph 9.4 of the report, to include entering into any leases, amendments to agreements, and the giving of any notifications/notices which may be required to effect any extension.

75 **PRIVATE SECTOR HOUSING STRATEGY 2017-2020**

Councillor Wright introduced the report of the Director of Leisure and Wellbeing which sought approval of the Private Sector Housing Strategy 2017-2020.

Revised recommendations of the Director of Leisure and Wellbeing were circulated at the meeting.

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

RESOLVED (A) That the Private Sector Housing Strategy 2017-2020, attached as Appendix 1 to the report be approved and implemented.

(B) That the Director of Leisure and Wellbeing in consultation with the Portfolio Holder for Health and Community Safety be authorised to make any minor amendments to the Private Sector Housing Strategy 2017-2020.

76 REQUEST FOR FUNDS - OPPOSITION TO EXTENSION OF WHITEMOSS LANDFILL SITE, SKELMERSDALE

Councillor Moran introduced the joint report of the Borough Solicitor and Director of Development and Regeneration which considered a request for a contribution of £4,000 towards the cost of funding a challenge to the Secretary of State's decision to allow planning permission to extend the Whitemoss Landfill site, Skelmersdale

A letter dated 9 January 2017 from the Solicitors representing Whitemoss Landfill Ltd. was circulated at the meeting.

A motion from Councillor Moran was circulated at the meeting.

In reaching the decision below, Cabinet considered the motion from Councillor Moran, the letter from the Solicitors for Whitemoss Landfill Ltd., the concerns expressed by Council and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the Director of Development and Regeneration be authorised to make a contribution of £4,000 from the Major Projects Reserve towards the funding for a challenge to the Secretary of State's decision to allow planning permission to extend the Whitemoss Landfill Site, Skelmersdale.

77 SYRIAN RESETTLEMENT PROGRAMME

Councillor Wright introduced the report of the Director of Leisure and Wellbeing which provided details of the Syrian Resettlement Programme and the Vulnerable Children Resettlement Scheme and the pledge to resettle refugees in West Lancashire.

Revised recommendations of the Director of Leisure and Wellbeing were circulated at the meeting.

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

RESOLVED (A) That the Director of Leisure and Wellbeing be authorised to resettle 5 refugee households with a suggested arrival date of July 2017.

(B) That in order to fulfil the authorisation in (A) above, the Director of Leisure and Wellbeing, in consultation with the relevant Portfolio Holder and Lancashire County Council, be authorised to commission a third sector organisation to provide the required integration support whilst retaining the task of sourcing and securing suitable accommodation.

78 **PROPOSED SURRENDER AND RENEWAL OF THE SILVER BIRCH PUBLIC HOUSE, FLORDON**

Councillor Moran introduced the report of the Director of Development and Regeneration which sought authority to take a surrender of the existing lease and grant a new long lease with a change of use in respect of the above-mentioned premises.

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

RESOLVED (A) That a surrender of the present lease be approved and a new long lease be granted with a change of use.

(B) That the Director of Development and Regeneration be authorised to take all necessary steps to effect the surrender and re-grant of a lease and the change of use to retail and flats.

79 **EXEMPTION TO CONTRACT PROCEDURE RULES - DIGITAL INCLUSION TRAINING AND SUPPORT**

Councillor Moran introduced the report of the Borough Transformation Manager and Deputy Director of Housing and Inclusion which requested an exemption from the Contracts Procedure Rules in relation to the above-mentioned contract.

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

RESOLVED That the exemption request be approved for the reasons set out in paragraph 5 of the report.

80 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 (financial/business affairs) of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

81 MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring decision as contained on pages 1495 - 1504 and page 1568 & 1569 of the Book of Reports.

82 ORMSKIRK PAY AND DISPLAY PARKING SYSTEM

Councillor Hodson introduced the report of the Director of Development and Regeneration which reviewed the current pay and display car parking arrangements in Ormskirk Town Centre and considered proposals to change some existing operational arrangements.

Appendix 1 to the report was circulated at the meeting.

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

RESOLVED (A) That the maximum parking period at the Wheatsheaf Walks Car Park be extended from 2 hours to 4 hours.

(B) That it be agreed in principle that the new car parking system outlined in the report be taken forward, subject to further discussions with Bemrose Mobile and all issues in Section 5 of this report being fully understood and resolved.

(C) That the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, be given delegated authority to negotiate and agree a contract on suitable terms and conditions for the Council to engage Bemrose Mobile for the installation and operation of specific parking control equipment. This delegation to include the ability to agree the length of any trial period, agree which car parks the equipment should be installed in and to enter into an agreement with Bemrose Mobile to use their Automatic Number Plate Recognition (ANPR) System for a trial period.

- (D) That an exemption to the Council's Contract Procedure Rules be granted in respect of (C) above given that the service being offered by Bemrose Mobile is unique and meets the future operational requirements of the Council, as outlined in Section 5 of the report.
- (E) That in relation to the existing parking ticket machines, in the event that suitable contract terms and conditions cannot be negotiated with Bemrose Mobile, the Director of Development and Regeneration explores further options to replace, and then procure, new ticket machines taking due account of emerging technologies in this area of operation.

Note

No representations had been received in relation to the above item being considered in private.

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Leader