

CABINET

HELD: Tuesday, 13 March 2018

Start: 7.00pm
Finish: 7.10 pm

PRESENT: Councillor Ian Moran (Leader,
In the Chair)

Portfolio

Councillors:	Councillor Yvonne Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
	Councillor Claire Cooper	Portfolio Holder for Communities and Older People
	Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
	Councillor John Hodson	Portfolio Holder for Planning
	Councillor Kevin Wilkie	Portfolio Holder for Street Scene
	Councillor Kevin Wright	Portfolio Holder for Health and Community Safety
	Councillor Adam Yates	Portfolio Holder for Finance

In attendance:
Councillors Councillor Dowling

Officers:
Kim Webber, Chief Executive
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
John Harrison, Director of Development and Regeneration
Heidi McDougall, Director of Leisure & Environment
Marc Taylor, Borough Treasurer
Matthew Jones, Legal and Member Services Manager
Sue Griffiths, Principal Member Services Officer

83 **APOLOGIES**

There were no apologies for absence.

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

There were no items of special urgency.

85 DECLARATIONS OF INTEREST

1. Councillors Forshaw and Wilkie (tenants of Council accommodation) and Wright (connected person tenant of Council accommodation) declared disclosable pecuniary/pecuniary interests in agenda item 7(d) (HRA Revenue and Capital Monitoring) and 7(j) (Property Compliance Policies) but considered they were entitled to speak and vote by virtue of an exemption as nothing in the report relates particularly to the relevant tenancy or lease.
2. Councillor J Hodson declared a non-pecuniary interest in agenda item 7(k) (Homelessness Reduction Act 2017) in view of him being a landlord and the document contained references to private landlords.

86 PUBLIC SPEAKING

There were no items under this heading.

87 MINUTES

RESOLVED That the minutes of the Cabinet meetings held on 9 January and 28 February 2018 (Extraordinary) be received as a correct record and signed by the Leader.

88 FLOODING IN THE BOROUGH - ITEM REFERRED FROM CORPORATE & ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE

Councillor J Hodson introduced the report of the Borough Solicitor which set out the resolution of the Corporate & Environmental Overview and Scrutiny Committee at its meeting on 4 January 2018 in relation to the presentation made by United Utilities on flooding and the wastewater network operations and services in the Borough.

The report included the comments of the Director of Development and Regeneration in respect of the decision of the Committee and went on to advise that it would be a matter for Council if Members considered supporting the resolution.

A motion from Councillor J Hodson was circulated at the meeting.

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

RESOLVED That resolution 48(B) of the Corporate and Environmental Overview and Scrutiny Committee held on 4 January 2018 be supported and that this item be referred to Council, requesting that Council consider lobbying the government in relation to the reduction in funding for statutory services, in particular the general under investment in improving the waste sewerage systems.

89 MATTERS REQUIRING DECISIONS

Consideration was given to the report relating to the following matters requiring decisions as circulated and contained on pages 1305 – 1538 of the Book of Reports.

90 USE OF S106 MONIES IN SKELMERSDALE

Councillor Gagen introduced the report of the Director of Leisure and Environment which considered a proposal in respect of the use of Section 106 monies for the enhancement of public open space provision in 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 That the use of £175,622 of S106 monies be approved to enable improvements to be made in Tawd Valley Park.

91 RISK MANAGEMENT

Councillor Yates introduced the report of the Borough Treasurer which provided details on the key risks facing the Council and how they are managed, and sought approval to changes to the Risk Management Policy.

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 progress made in relation to the management of the risks shown in the Key Risks Register at Appendix A to the report be noted and endorsed.

(B) That the updated Risk Management Policy at Appendix B to the report be approved.

92 GENERAL REVENUE ACCOUNT BUDGET MONITORING

Councillor Yates introduced the report of the Borough Treasurer which provided a projection of the financial position on the General Revenue Account (GRA) to the end of the financial year.

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 financial position of the GRA be noted including the position on reserves and balances.

- (B) That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 March 2018.

93 HRA REVENUE AND CAPITAL MONITORING

Councillor Forshaw introduced the joint report of the Director of Housing and Inclusion and the Borough Treasurer which provided an update on the current position of the 2017-18 Housing Revenue Account (HRA) and Council Housing Capital Investment Programme.

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 financial position in respect of the 2017-18 HRA and Council Housing Capital Investment Programme be noted.

- (B) That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 March 2018.

94 DEVELOPING AN ORMSKIRK BUSINESS IMPROVEMENT DISTRICT

The Leader introduced the report of the Director of Development and Regeneration which provided a summary of the report prepared by Groundwork Ltd. and sought agreement to the next steps in relation to the development of a BID for Ormskirk.

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 a BID Steering Group being formed by the private sector businesses of Ormskirk the development of a BID be taken forward by this group.

- (B) That the development of a BID for Ormskirk be supported by the Council.
- (C) That officers support the Town Centre Management Group and any future BID Steering Group in activities to develop a BID.
- (D) That, should an application be made by the Town Centre Management Group/BID Steering Group to the MHCLG (Ministry of Housing, Communities and Local Government) BID loan fund, that the application be supported by the Council and that the Council act as the accountable body for the loan.

- (E) That delegated authority be given to the Director of Development & Regeneration to oversee utilisation of the loan (if approved by the MHCLG).
- (F) That the Council draws up and publishes baseline agreements relating to the Council's statutory obligations within the BID area.
- (G) That the Council administer any BID ballot.
- (H) That the proposed timeline as evidenced in Appendix C to the report be approved.

95 **QUARTERLY PERFORMANCE INDICATORS (Q3 2017/18)**

The Leader introduced the report of the Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 31 December 2017.

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 31 December 2017 be noted.

- (B) That the call-in procedure is not appropriate for this item as the report was submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 1 March 2018.

96 **CORPORATE PERFORMANCE MANAGEMENT 2018/19**

The Leader introduced the report of the Director of Housing and Inclusion which sought approval of the Suite of Performance Indicators to be adopted as the Council's Corporate PI Suite 2018/19.

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 Suite of Performance Indicators 2018/19 (Appendix A) and targets identified be approved and adopted as the Council's Corporate PI Suite 2018/19.

- (B) That the Director of Housing & Inclusion, in consultation with the Leader of the Council as Portfolio Holder, be authorised to finalise and amend the suite having regard to agreed comments from Executive Overview and Scrutiny Committee made on 29 March 2018, and to make necessary amendments to the suite in year in response to any issues that may arise, for example government policy or collection mechanisms.

- (C) That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 29 March 2018.

97 COUNCIL PLAN 2018/19 - 2020/2021

The Leader introduced the report of the Chief Executive which sought approval of the Council Plan 2018/19 – 2019/21.

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 Plan 2018/19 – 2020/21” attached as Appendix A to the report be approved and referred to Council for adoption.
- (B) That authority is given to the Chief Executive in consultation with the Leader to make any final amendments to the document, prior to publication.
 - (C) That call-in is not appropriate for this item, as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 March 2018.

98 ORMSKIRK NIGHT MARKETS AND TOWN CENTRE EVENTS

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought approval of a way forward to facilitate the successful implementation of a series of night markets and other events in Ormskirk Town Centre in conjunction with the Ormskirk Business Action Group and other appropriate community/business organisations.

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 Director of Development and Regeneration, in consultation with the relevant Portfolio Holder, be authorised to submit an application for a Premises Licence under the Licensing Act 2003 and to authorise regulated entertainment and sale of alcohol which would enable the night markets and other themed events in Ormskirk Town Centre to proceed.
- (B) That the Director of Development and Regeneration be authorised to develop a code of conduct under which any night market or other event must operate for agreement with the organising body and to review these as appropriate.

99 PROPERTY COMPLIANCE POLICIES

Councillor Forshaw introduced the report of the Director of Housing and Inclusion which presented and sought approval of policies in relation to five main areas of property compliance.

Additional information from the Director of Housing and Inclusion and minute No. 25 of the Landlord Services Committee (Cabinet Working Group) held on 8 March 2018 was circulated at the meeting.

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

RESOLVED (A) That the policies set out at Appendices A to E (amended by the additional information) be approved.

(B) That the Director of Housing and Inclusion be given delegated authority to make minor amendments to the policies in line with any legislative changes in the future.

100 HOMELESSNESS REDUCTION ACT 2017

Councillor Wright introduced the report of the Director of Housing and Inclusion which advised on changes to homelessness legislation arising from the Homelessness Reduction Act 2017 and sought approval to put in place appropriate arrangements.

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 Director of Housing and Inclusion be authorised to implement the new powers contained within the Homelessness Reduction Act 2017.

(B) That the Homelessness Prevention Fund Policy 2018 (Appendix 1 to the report) be approved.

- (C) That the Director of Housing and Inclusion be authorised to amend the policy approved at (B) above to take account of any minor amendments as a result of legislative changes.
- (D) That the call-in procedure is not appropriate for this item as processes need to be established before the legislation comes into place in April 2018.

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Leader