

## **Minutes**

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,  
on Thursday, 3 October, 2013

### **Present:**

County Councillor Michael Devaney (Chairman)

### **County Councillors**

T Aldridge	K Ellard	Mrs L Oades
A Ali	J Fillis	J Oakes
T Ashton	J Gibson	M Otter
A Atkinson	G Gooch	M Parkinson
A Barnes	M Green	N Penney
M Barron	Mrs J Hanson	M Perks
L Beavers	Dr M Hassan	C Pritchard
D Borrow	P Hayhurst	S Prynne
M Brindle	C Henig	P Rigby
P Britcliffe	N Hennessy	A Schofield
I Brown	S Holgate	K Sedgewick
K Brown	D Howarth	S Serridge
T Brown	K Iddon	J Shedwick
P Buckley	M Iqbal	R Shewan
T Burns	A James	D T Smith
Mrs S Charles	M Johnstone	K Snape
A Cheetham	A Jones	J Sumner
A Clempson	A Kay	V Taylor
D Clifford	J Lawrenson	M Tomlinson
Mrs F Craig-Wilson	D Lord	C Wakeford
C Crompton	T Martin	D Watts
M Dad	J Mein	D Westley
B Dawson	G Molineux	D Whipp
F De Molfetta	Y Motala	P White
C Dereli	B Murray	G Wilkins
G Dowding	R Newman-Thompson	B Winlow
G Driver	D O'Toole	

## 1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Sandra Perkins, David Stansfield and Barrie Yates.

### **Pennine Reach**

At the Chairman's invitation, the Leader announced that funding for the Pennine Reach rapid transit scheme had now been confirmed, which would improve the bus network between Accrington, Blackburn and Darwen and include new bus stations for Accrington and Blackburn and complementary measures to regenerate parts of both towns.

The scheme was due to be completed by early 2016 and was supported by a £2.9 million contribution from the County Council, together with £5.1 million from Blackburn with Darwen Council and £31.9 million from the Department for Transport.

### **City Deal**

The Leader also referred to the City Deal for Preston, South Ribble and Lancashire which was signed on 12 September securing its position as one of the most important economic centres outside of London and making it one of the fastest-growing areas in the country for the next decade.

### **Pendant for Vice Chairman's Consort**

At the Chairman's invitation, County Councillor Kevin Ellard announced that he had commissioned, at his own expense, a ceremonial pendant for use by the vice chairman's consort during this and future years. He presented it to the Chairman of the council.

## 2. Disclosure of Pecuniary and Non-Pecuniary Interests

<b>Name of Councillor</b>	<b>Agenda Item No.</b>	<b>Nature of Interest (all non pecuniary unless stated)</b>
M Green	Part B – Item 9	Governor St Mary's Catholic Technology College
	Part C - Notice of Motion 2	Member of South Ribble Borough Council

## 3. Confirmation of Minutes from meeting held 18 July 2013

**Resolved:** That the Minutes of the meeting of the County Council held on the 18 July 2013 be confirmed and signed by the Chair.

#### **4. Employment Committee Terms of Reference**

The report presented proposed changes to the Employment Committee's Terms of Reference.

**Resolved:** That

- i. The decision taken by the Full Council on 28 February 2013 to authorise the Director of Human Resource, Pensions and Payroll to take all decisions relating to employment policies, procedures and practices, including recruitment and selection; collective agreements relating to the same; and decisions relating to the trade union facilities agreement, be rescinded.
- ii. the Employment Committee's Terms of Reference as set out at Appendix A to the report now presented, be approved.

#### **5. Proposed Amendment to the number of County Councillor Representatives on the Lancashire Health and Wellbeing Board**

The report presented proposed an increase the number of County Councillor representatives on the Lancashire Health and Wellbeing Board from three to four.

**Resolved:** That,

- i. an increase in the number of County Councillor representatives on the Health and Wellbeing Board from three to four, as outlined in the report now presented, be approved.
- ii. the fourth Councillor representative on the Health and Wellbeing Board be the Cabinet Member for Adult and Community Services.
- iii. the amended Terms of Reference of the Health and Wellbeing Board for the Committee to reflect the change in membership, as now presented, be approved.

#### **6. Report of the Cabinet (Part B)**

The Leader of the Council moved Part B of the report of the Cabinet from its meeting on the 5 September 2013.

**Resolved:** That the report of the Cabinet from its meeting on the 5 September 2013, as now presented, be noted.

## **7. Report of Urgent Key Decisions**

The report set out Urgent Key Decisions taken by the Leader of the County Council, the Deputy Leader, the Cabinet Member for Health and Wellbeing, the Executive Director for Environment, and the County Treasurer during the preceding three months.

**Resolved:** That the report of Urgent Key Decisions taken by the Leader of the County Council, the Deputy Leader, the Cabinet Member for Health and Wellbeing, the Executive Director for Environment, and the County Treasurer as now presented, be noted.

## **8. The Overview and Scrutiny Committees**

County Councillor Bill Winlow presented the reports of the Overview and Scrutiny Committees from their meetings as follows:

<b>Committee</b>	<b>Date of Meeting</b>
Scrutiny Committee	12 July 2013
Health Scrutiny Committee	23 July 2013
	10 September 2013
Education Scrutiny Committee	16 July 2013

**Resolved:** That the reports of the Overview and Scrutiny Committees, as now presented, be received.

## **9. Pension Fund Committee**

County Councillor Terry Burns presented the report of the Pension Fund Committee from its meeting on the 6 September 2013.

**Resolved:** That the report of the Pension Fund Committee, as now presented, be received.

## **10. Urgency Committee**

The Leader presented the report of the Urgency Committee from its meeting on the 5 August 2013 and urgent business considered on behalf of the Urgency Committee.

**Resolved:** That the report of the Urgency Committee, as now presented, be received.

## **11. Report of the Combined Fire Authority**

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meeting on the 9 September 2013. In presenting the report he drew attention to the item about the recent fire at St Mary's Catholic Technology College in Leyland and thanked all involved for their hard work in bringing the school back into service.

County Councillor Matthew Tomlinson, Cabinet Member for Children, Young People and Schools explained the County Council's policy on sprinklers in schools.

County Councillor Michael Green, a Governor at the school, asked that the thanks of the County Council to the fire service for their actions in response to the fire be placed on record.

**Resolved:** That the report of the Lancashire Combined Fire Authority, as now presented, be received.

### **Part C - Notices of Motion**

The following **Notices of Motion** had been submitted under Procedural Standing Order 14.2.1(a).

#### **1. It was moved by County Councillor Tony Martin and seconded by County Councillor Jenny Mein that:**

"The County Council re-affirms its commitment to Lancashire becoming a Fairtrade County as outlined in the resolution of the Cabinet of 8 October 2004, and also calls on the Leader of the County Council to appoint a "Fairtrade advocate" from its membership to ensure the process is followed through as speedily as possible".

On being put to the vote the motion was carried and it was:

**Resolved:** that,

"The County Council re-affirms its commitment to Lancashire becoming a Fairtrade County as outlined in the resolution of the Cabinet of 8 October 2004, and also calls on the Leader of the County Council to appoint a "Fairtrade advocate" from its membership to ensure the process is followed through as speedily as possible".

The Leader announced that she would take on the role of Fairtrade advocate.

**2. It was moved by County Councillor Michael Green that:**

"Council is delighted that we have concluded the City Deal and thanks the Coalition Government and our partners, the Lancashire Enterprise Partnership, Preston City Council and South Ribble Borough Council, for agreeing this once-in-a-lifetime deal.

Council acknowledges that without the vision and commitment of our Chief Executive, Phil Halsall, the City Deal would never have come to fruition."

County Councillor Jennifer Mein moved the following **Amendment**, which was seconded by County Councillor Bill Winlow:

"Council is delighted that we have concluded the City Deal and thanks the Coalition Government and our partners, the Lancashire Enterprise Partnership, Preston City Council and South Ribble Borough Council, for agreeing this once-in-a-lifetime deal.

Council wishes to thank all the officers at the Cabinet Office, DCLG, DFT, South Ribble, Preston and Lancashire County Council for their contribution to this success"

County Councillor Green accepted the amendment.

The Motion, as amended, was put to the vote and was carried and it was:

**Resolved:** That,

"Council is delighted that we have concluded the City Deal and thanks the Coalition Government and our partners, the Lancashire Enterprise Partnership, Preston City Council and South Ribble Borough Council, for agreeing this once-in-a-lifetime deal.

Council wishes to thank all the officers at the Cabinet Office, DCLG, DFT, South Ribble, Preston and Lancashire County Council for their contribution to this success"

**3. It was moved by County Councillor Geoff Driver and seconded by County Councillor Peter Britcliffe that:**

"Council was concerned to learn of the inadequate records kept of the approvals given for the accessing of e-mails and supports the proposal by Jack Straw MP for a Public Inquiry into the secret accessing of County Council Members' e-mails."

Following a period of debate the Motion was put to the vote and was lost and it was:

**Resolved:** That the Motion be not carried.

**Note:** Before the following motion was moved the Chairman reminded members about the rules in relation to predetermination as it may fall to members of the council, particularly those members of the Development Control Committee, to make decisions on the issues referred to. He reminded all members of the need to ensure that they did not make statements at this meeting which could be seen to predetermine their views on those forthcoming decisions. He confirmed that supporting or opposing the motion below would not in itself constitute predetermination.

**4 It was moved by County Councillor Gina Dowding and seconded by County Councillor Bill Winlow that:**

"Further to the motion regarding Hydraulic Fracturing (Fracking) of Shale Type Rock which was passed by Lancashire County Council in December 2012, this Council:

i Notes

- a. The debate about benefits and disbenefits of extracting on-shore gas resources and the local environmental impacts
- b. That large amounts of water are needed for hydraulic fracturing to extract shale.
- c. The risk of groundwater contamination as a result of fracking where well integrity is compromised.
- d. The impacts of noise, visual intrusion and air pollution from heavy traffic in communities close to fracking sites
- e. Increasing concerns over potential direct and indirect impacts on human health and wellbeing, and awaits investigation into those concerns
- f. that potential economic benefits need to be carefully balanced against the potential disbenefits to other sectors such as tourism and agriculture and to the opportunity for investment in the renewable energy sector;
- g. the conflicting claims about whether UK shale gas will affect energy prices in the UK

ii. reiterates its call on the Secretary of State for Energy and Climate Change to introduce Industry Specific regulation of hydraulic fracturing for the UK shale gas industry, as there are still no specific onshore exploration or extraction regulations for natural gas (and the offshore regulations developed in the 1990s are not sufficient to address all the issues that arise from moving the process onshore especially in populated areas of Lancashire);

iii) demands that such industry specific regulation must ensure that local planning control is maintained and that there should be a regular and rigorous inspection regime;

iv. will seek to attract to the county appropriate funding for projects which increase energy efficiency, sustainability and self-sufficiency, stabilise energy bills, and create jobs in the green economy."

County Councillor Michael Green moved the following **Amendment**, which was seconded by County Councillor Peter Buckley:

"Further to the motion regarding Hydraulic Fracturing (Fracking) of Shale Type Rock which was passed by Lancashire County Council in December 2012, this Council:

- i) Reaffirms its support for the wording of the Motion approved unanimously by the council on 13 December 2012
- ii) Notes the ongoing debate regarding the potential of Shale Gas in Lancashire, together with the possible advantages, disadvantages, benefits and risks of this energy supply for our residents.
- iii) Reiterates its call on the Secretary of State for Energy and Climate Change to introduce Industry Specific regulation of hydraulic fracturing for the UK shale gas industry, as there are still no specific onshore exploration or extraction regulations for natural gas (and the offshore regulations developed in the 1990s are not sufficient to address all the issues that arise from moving the process onshore especially in populated areas of Lancashire).
- iv) Demands that such industry specific regulation must ensure that local planning control is maintained and that there should be a regular and rigorous inspection regime;
- v) Will seek to attract to the county appropriate funding for projects which increase energy efficiency, sustainability and self-sufficiency, stabilise energy bills, and create jobs in the green economy.
- vi) Notes that an update by the Regulatory Authorities on Shale Gas operations and specifically their regulation will take place at County Hall on 8 October 2013 and encourages all members to attend so that they may be fully informed.

On being put to the vote the amendment was lost. The original Motion was then put to the vote and was carried and it was:



**Resolved:** That,

"Further to the motion regarding Hydraulic Fracturing (Fracking) of Shale Type Rock which was passed by Lancashire County Council in December 2012, this Council:

i Notes

- a. The debate about benefits and disbenefits of extracting on-shore gas resources and the local environmental impacts
- b. That large amounts of water are needed for hydraulic fracturing to extract shale.
- c. The risk of groundwater contamination as a result of fracking where well integrity is compromised.
- d. The impacts of noise, visual intrusion and air pollution from heavy traffic in communities close to fracking sites
- e. Increasing concerns over potential direct and indirect impacts on human health and wellbeing, and awaits investigation into those concerns
- f. that potential economic benefits need to be carefully balanced against the potential disbenefits to other sectors such as tourism and agriculture and to the opportunity for investment in the renewable energy sector;
- g. the conflicting claims about whether UK shale gas will affect energy prices in the UK

ii. reiterates its call on the Secretary of State for Energy and Climate Change to introduce Industry Specific regulation of hydraulic fracturing for the UK shale gas industry, as there are still no specific onshore exploration or extraction regulations for natural gas (and the offshore regulations developed in the 1990s are not sufficient to address all the issues that arise from moving the process onshore especially in populated areas of Lancashire);

iii) demands that such industry specific regulation must ensure that local planning control is maintained and that there should be a regular and rigorous inspection regime;

iv. will seek to attract to the county appropriate funding for projects which increase energy efficiency, sustainability and self-sufficiency, stabilise energy bills, and create jobs in the green economy."

**5. It was moved by County Councillor Bill Winlow and seconded by County Councillor Gina Dowding that:**

"Lancashire County Council:

1. Welcomes the consultation launched last month by Government to create a small and medium sized enterprise (SME) 'single market' for public

procurement, simplifying and standardising how contracts are advertised, bid for and paid across the sector on contracts over £10,000 and would welcome similar proposals for contracts under £10,000 to follow suit

2. Recognises the huge opportunity presented to support small and medium sized businesses and contribute to a strong local economy through its procurement policies
3. Commits to adopting best practise in public procurement which takes into account the full impact of the procurement process on the local economy, and uses its public procurement role to promote the wellbeing of the local economy and the diversity of small and medium sized enterprises."

County Councillor David Borrow moved the following amendment to add an additional paragraph:

4. "Recognises the important role played by Third Sector partners in the delivery of services on behalf of the Council and commits to a procurement process that takes into account the social value of Third Sector provision."

County Councillors Winlow and Dowding accepted the amendment.

The Motion, as amended, was then put to the vote and was carried and it was;

**Resolved:** That,

"Lancashire County Council:

1. Welcomes the consultation launched last month by Government to create a small and medium sized enterprise (SME) 'single market' for public procurement, simplifying and standardising how contracts are advertised, bid for and paid across the sector on contracts over £10,000 and would welcome similar proposals for contracts under £10,000 to follow suit
2. Recognises the huge opportunity presented to support small and medium sized businesses and contribute to a strong local economy through its procurement policies
3. Commits to adopting best practise in public procurement which takes into account the full impact of the procurement process on the local economy, and uses its public procurement role to promote the wellbeing of the local economy and the diversity of small and medium sized enterprises
4. Recognises the important role played by Third Sector partners in the delivery of services on behalf of the Council and commits to a procurement process that takes into account the social value of Third Sector provision."

**6. It was moved by County Councillor Azhar Ali and seconded by County Councillor Marcus Johnstone that:**

"Payday loan companies, although legal, are preying on vulnerable people on low incomes, charging immoral rates of interest which often spiral out of control heaping further misery on thousands of people across Lancashire

Lancashire County Council resolves to:

- Ban access to Payday Lender websites from all LCC computers including libraries.
- Ban advertising and or sponsorship on all LCC property including hoardings, bus shelters, buildings etc

Furthermore, Lancashire County Council will promote local credit unions and other responsible lenders as alternative. We will consider the outcome of the work being undertaken by the Office of Fair Trading".

On being put to the vote the motion was carried and it was:

**Resolved:** That,

"Payday loan companies, although legal, are preying on vulnerable people on low incomes, charging immoral rates of interest which often spiral out of control heaping further misery on thousands of people across Lancashire

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Furthermore, Lancashire County Council will promote local credit unions and other responsible lenders as alternative. We will consider the outcome of the work being undertaken by the Office of Fair Trading".

Jo Turton  
Interim Chief Executive

County Hall  
Preston