

Lancashire County Council

Urgency Committee of the Full Council

**Thursday, 8th November, 2012 at 2.30 pm in Cabinet Room 'C' - County Hall,
Preston**

Agenda

Part 1 (Open to Press and Public)

No. Item

1. Apologies

2. Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

3. Minutes of Meeting Held on 17 January 2012 (Pages 1 - 4)

The Committee is asked to confirm the Minutes of the meeting held on 17 January 2012 as a true and correct record.

4. Membership of the Scrutiny Committee (Pages 5 - 6)

5. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 3

Lancashire County Council

Urgency Committee of the Full Council

Minutes of the Meeting held on Tuesday, 17th January, 2012 at 10.00 am in Cabinet Room 'B' - County Hall, Preston

Present:

County Councillor Geoff Driver (Chair)

County Councillors

A Atkinson	D O'Toole
M Devaney	J Shedwick
C Grunshaw	B Winlow
P Malpas	

1. Apologies

Apologies for absence were received from County Councillor J Mein.

2. Disclosure of Personal and Prejudicial Interests

None.

3. Minutes of Previous Meeting

Resolved: That the Minutes of the Meeting held on 3 March 2011 be confirmed and signed by the Chair.

4. Appointment of Chair and Deputy Chair, Membership and Terms of Reference

A report was presented on the approved Membership and Terms of Reference of the Committee following the Annual General Meeting of the Full Council on 26 May 2011. The Full Council had also appointed County Councillors G Driver and A Atkinson as Chair and Deputy Chair of the Committee for the remainder of the 2011/12 municipal year.

Resolved: That the Membership, Terms of Reference of the Committee and the appointment of the Chair and Deputy Chair of the Committee, as now reported, be noted.

5. Adult Learning Service

The Committee considered a report on the adoption of County Council personnel code policies and procedures for further education lecturers employed within Lancashire Adult Learning.

The County Council currently had separate arrangements in place for further education lecturers and managers employed within Lancashire Adult Learning. The arrangements had existed since 1992 and had been subject to local agreement with the University and Colleges Union (and previously the National Association of Teachers in Further and Higher Education).

The policies, terms and conditions that applied to further education lecturers were subject to local review and agreement each year between the County Council and the Trade Unions. It was considered that this arrangement had been difficult to maintain and was no longer sustainable, especially following a 50% reduction in management posts following the restructure of the service in 2011. It was therefore proposed that specified policies and procedures, as set out in the report presented and Appendices 'A' to 'F', be aligned with the County Council's Personnel Code.

The Committee noted that whilst agreement had been reached with the University and the Trade Union on this proposal, a number of policies, terms and conditions e.g. rates of pay, holiday entitlements that were specific to teaching staff in Lancashire Adult Learning would remain unchanged pending a further review.

Resolved: That academic staff employed within Lancashire Adult Learning be subject to the County Council's personnel policies and procedures, as set out in the Report and at Appendices 'A' to 'F' now presented.

6. Management of Unreasonable Complaints

The Committee considered a report on the adoption of a corporate policy for dealing with unreasonably persistent complaint behaviour.

The Local Government Ombudsman had suggested that it would be helpful for the County Council to have a standalone 'overarching' policy to deal with unreasonable complaint behaviour rather than rely on separate provision within its various complaints policies.

A proposed corporate policy for dealing with unreasonably persistent complaint behaviour. was presented at Appendix 'A', together with details of consequential changes to the Corporate Complaints Procedure (Appendix 'B')

Resolved:

1. That the policy, as set out at Appendix 'A', to deal with unreasonable complaint behaviour be adopted by the County Council.
2. That the consequential changes to the Corporate Complaints Procedure, as set out at Appendix 'B' be approved.

7. Appointment to the Independent Remuneration Panel

The Committee considered a report on the proposed appointment of Mrs Gail Stanley MBE, DL to serve on the Independent Remuneration Panel for a term of four years.

It was agreed that Mrs Stanley should be appointed to serve on the Panel in view of her extensive knowledge of local government and the public sector and her experience as chair of West Lancashire Borough Council's Independent Remuneration Panel since 2002.

The Committee noted that further efforts would be made to fill the two remaining vacancies on the Panel.

Resolved: That Mrs Gail Stanley MBE, DL be appointed to serve on the Independent Remuneration Panel until 17 January 2016.

8. Urgent Business

None.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Urgency Committee

Meeting to be held on 8 November 2012

Electoral Division affected: None

Membership of the Scrutiny Committee

Contact for further information:

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Executive Summary

The Committee is asked to consider the impact upon the County Council of the distribution by County Councillor K Ellard of an unauthorised and unpublished version of the Scrutiny Committee's Arts Development Funding Joint Task Group report.

Recommendation

The Urgency Committee is asked, on behalf of the County Council, to consider whether County Councillor K Ellard should continue to be a member of the County Council's Scrutiny Committee.

Background and Advice

The Scrutiny Committee on 6 July 2012 received the report of the Arts Development Funding Joint Task Group established by the Committee in September 2011.

The Task Group was established to examine the state of arts in pan Lancashire following changes to national strategy and funding decisions taken by Arts Council England. The Task Group included representatives from Blackburn with Darwen, Blackpool, Lancaster City and Preston City Councils.

The Committee approved the Task Group Report entitled "Towards A Stronger Sense of Place" and its recommendations with some amendments.

The final approved report of the Task Group, as amended by the Committee, was then referred to the appropriate Cabinet Member, County Councillor Mike Calvert to formally respond on the recommendations of the Task Group as is required by statute.

The report was also issued by the County Council to all witnesses and partners involved in the Task Group's work and their views were requested. The report issued was published by the County Council in the normally recognised format for Scrutiny Task Group Reports for consistency within existing resources available.

The response of the Cabinet Member to the Task Group's recommendations is to be considered by the Scrutiny Committee on the 9th November, together with responses received from a number of organisations involved.

In recent weeks the Chairman of the Task Group, County Councillor Kevin Ellard, has issued to those organisations and individuals who had been provided with the Task Group Report, an unauthorised version of the report. The unauthorised version is a draft of the report with some expensive design work which, if published by the County Council, would have cost approximately £3,000. County Councillor Ellard had worked on this design with officers but it was decided that in view of the cost of publication and the inclusion of an unauthorised forward by the Chair of the Task Group, that the Task Group Report would instead be published in the standard format. County Councillor Ellard had asked for an A4 copy of this version but had been told on numerous occasions that he could not have a copy and that the 'unauthorised' version should not be published.

County Council Ellard's letter enclosing the unauthorised version points to the official version being incomplete and does not include his 'context setting introduction'.

Organisations who have received both versions of the document have contacted the County Council expressing their confusion. The County Council have issued clarification to all those organisations to respond to the 'official' version only.

The Committee is requested to consider this matter and determine what action to take.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

It is considered that the actions of County Councillor Ellard as reported have put at risk the reputation of the County Council.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Tel
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Nil

Reason for inclusion in Part II, if appropriate

N/A'