

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 18 December, 2014

Present:

County Councillor Kevin Ellard (Chair)

County Councillors

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

1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Terry Burns, Andrea Kay, Jim Lawrenson, Gareth Molineux, Bev Murray, Alan Schofield and Paul White.

Death

The Chairman reported the sad death of former County Councillor Arif Umerji who represented the Blackburn Bank Top & Brookhouse Division from 1993 to 1998.

He referred also to the very recent mass murder in Peshawar, Pakistan of over 130 school children, the death of hostages in Sydney, Australia and the many other acts of terrorism over the last year, across the world, in which people had lost their lives.

The council stood in silent tribute.

2. The Resolution of the Conduct Committee 26 November 2014 - County Councillor G Driver

County Councillor Geoff Driver CBE had been instructed by the Conduct Committee to make a formal apology to County Councillor Jennifer Mein in terms specified by the Committee. County Councillor Driver indicated that he was not prepared to apologise.

3. Disclosure of Pecuniary and Non-Pecuniary Interests

None disclosed.

4. Confirmation of Minutes from meeting held 2 October 2014

Resolved: That the Minutes of the meeting of the County Council held on the 2 October 2014 be confirmed and signed by the Chair.

5. Report of the Cabinet (Part A)

Update on the Implementation of the Living Wage

The Cabinet had considered at its meeting on 4 December 2014 a report which provided an update on the implementation of the Living Wage and recommended that Full Council approve the annual uplift of the Living Wage for centrally employed staff, to be applied from 1 April 2015.

Resolved: That the annual uplift of the Living Wage for centrally employed staff be approved and that it be applied from 1 April 2015.

Lancashire Community Safety Agreement 2014/16

The Cabinet had considered at its meeting on 4 December 2014 a report setting out details of the Lancashire Community Safety Agreement 2014/16 and agreed to recommend it to the Full Council for approval.

Resolved: That,

- i. The Community Safety Agreement 2014/16 as set out at Appendix A to the report now presented be approved;
- ii. Authority be delegated to the Cabinet Member for Adult and Community Services to make any subsequent amendments to the Community Safety Agreement; and
- iii. The appointment of the members of the Lancashire Chief Executives Group, as members of the County Strategy Group, be approved.

6. The Localism Act 2011 – Updated Pay Policy Statement 2014/15

The report now presented set out at Appendix A the proposed updated 2014/15 Pay Policy statement as required by the Localism Act 2011.

Resolved: That the 2014/15 Updated Pay Policy Statement, as set out at Appendix A to the report now presented, be approved.

7. Establishment of the Lancashire Pension Board

The report set out proposals for the establishment of the Lancashire Pension Board as required by the Local Government Pension Scheme (Amendment) Regulations 2014.

Resolved: That,

- i. The proposals for the establishment of the Lancashire Pension Board, as set out at Annex 1 in the report now presented, be agreed.
- ii. The disestablishment of the Pension Fund Administration Sub Committee, and the proposed revised terms of reference for the Pension Fund Committee, as set out at Appendix B to Annex 1 in the report now presented, be approved.

8. Application for Voluntary Redundancy

The report related to an application for voluntary redundancy from the County Treasurer and S 151 Officer.

The Leader reported that the Employment Committee at its meeting on 15 December 2014 had agreed that, subject to no objection being made by any

member of the Cabinet, the Full Council be recommended to agree to the dismissal of the County Treasurer on the basis of voluntary redundancy with effect from 31 March 2016.

She confirmed that no objections had been received and the Full Council was therefore asked to approve the recommendation.

Resolved: That the application for voluntary of the County Treasurer with effect from 31 March 2016 be approved.

9. Political Governance Structures

The report presented the findings of a cross party member officer Working Group established to investigate options for any change in the political management structure.

Full Council was now being asked to determine the most appropriate future political governance structure for Lancashire County Council.

Three options were presented for consideration: A cabinet system, a hybrid system and a committee system. Full details of the proposed options, with implications and analysis were contained in Appendices B-E of the report now presented.

It was moved by the Leader and seconded by County Councillor Bill Winlow that:

- i. Lancashire County Council retains the Cabinet system of governance as currently operated, which includes the Executive Scrutiny Committee and Budget Scrutiny Working Group established in June 2013;
- ii. The Political Governance Working Group be invited to reconvene to consider the issues requiring further consideration in the context of a retained Cabinet system as set out in the report, and report back to Full Council in May 2015; and
- iii. The Political Governance Working Group be invited to reconvene to consider issues relating to the reorganisation of the council and subsequent realignment of the Cabinet system after April 2016.

On being put to the vote the Motion was carried and it was

Resolved: That,

- i. The Cabinet system of governance as currently operated, including the Executive Scrutiny Committee and Budget Scrutiny Working Group be retained; and
- ii. The Political Governance Working Group be invited to reconvene to consider the issues requiring further consideration in the context of a retained Cabinet system as set out in the report, and report back to Full Council in May 2015; and

- iii. The Political Governance Working Group be invited to reconvene to consider issues relating to the reorganisation of the council and subsequent realignment of the Cabinet system after April 2016.

10. Protocol on Recording and Reporting on Meetings of the Council

The report explained that the government had recently introduced legislation and guidance for Local Authorities on the rights of the public and the media to record and report on meetings of the County Council.

The Lancashire County Council had never restricted reporting or recording, other than where it would be disruptive to the meeting itself, however it was considered appropriate to now use the opportunity presented by the guidance to develop a clear set of rules in this area. A draft protocol was attached as Appendix A to the report now presented.

Resolved: That the Protocol on reporting on and recording meetings of the County Council, as set out in Appendix A to the report now presented, be approved as Appendix P to the Constitution.

11. Report of the Cabinet (Part B)

The Leader of the Council moved Part B of the report of the Cabinet from its meetings on the 9 October, 6 November and 4 December 2014.

Resolved: That the report of the Cabinet from its meetings on the 9 October, 6 November and 4 December 2014 be noted.

12. Lancashire County Council's approach to the development of housing and support schemes for older people including those with dementia.

At its meeting on 2 October 2014 Full Council had resolved that a report be submitted to the December meeting regarding the development of a new service in North Lancashire to support older people, including those with a diagnosis of dementia. The report now presented provided an update on the development of new models of housing and support provision across Lancashire.

Resolved: That the report be noted.

13. The Overview and Scrutiny Committees

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

Committee	Date of Meeting
Scrutiny Committee	12 September 2014 10 October 2014 7 November 2014 20 November 2014
Health Scrutiny Committee	7 October 2014 25 November 2014
Education Scrutiny Committee	21 October 2014

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

13. Audit and Governance Committee

County Councillor Terry Brown presented the report of the Audit and Governance Committee from its meeting on the 29 September 2014.

Resolved: That the report of the Audit and Governance Committee, as now presented, be received.

13. Report of the Pension Fund Committee

County Councillor Miles Parkinson presented the report of the Pension Fund Committee from its meeting on the 28 November 2014.

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

13. Report of the Urgency Committee

The Leader presented the report of the Urgency Committee from its meetings on the 9 and 22 October 2014.

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

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 Julie Gibson and seconded by County Councillor Tony Martin:**

That Council recognises and applauds the White Ribbon Campaign which aims to highlight and show this Council's commitment to tackle domestic violence across the County.

That Council recognises that during this festive period, there are often heightened incidences of domestic violence and abuse, and places on record its commitment to working with partners across the public, voluntary, community and faith sectors to tackle these.

That Council welcomes the Community Safety Strategy 2014-2016 which includes within it a commitment to addressing domestic violence not just by bringing perpetrators to justice, but by working with children, young people, families and communities to challenge attitudes and behaviour.

County Councillor Graham Gooch moved the following **Amendment** which was seconded by County Councillor Geoff Driver:

"Violence against women is entirely unacceptable in any circumstances and Council applauds the 'White Ribbon campaign' which aims to highlight and eradicate violence against women wherever and whenever it is perpetrated.

So far as domestic violence is concerned Council recognises that during this festive period, there are often heightened incidences of domestic violence and abuse, and places on record its commitment to working with partners across the public, voluntary, community and faith sectors to tackle them.

Council welcomes the Community Safety Strategy 2014-2016 which includes within it a commitment to addressing domestic violence not just by bringing perpetrators to justice, but by working with children, young people, families and communities to challenge attitudes and behaviour."

County Councillor Gibson accepted the Amendment, which was put to the vote and was carried and therefore became the substantive Motion, which was put to the vote and was carried and it was therefore,

Resolved:

Violence against women is entirely unacceptable in any circumstances and Council applauds the 'White Ribbon campaign' which aims to highlight and eradicate violence against women wherever and whenever it is perpetrated.

So far as domestic violence is concerned Council recognises that during this festive period, there are often heightened incidences of domestic violence and abuse, and places on record its commitment to working with partners across the public, voluntary, community and faith sectors to tackle them.

Council welcomes the Community Safety Strategy 2014-2016 which includes within it a commitment to addressing domestic violence not just by bringing

perpetrators to justice, but by working with children, young people, families and communities to challenge attitudes and behaviour.

2. It was moved by County Councillor Gina Dowding and seconded by County Councillor Sandra Perkins:

Lancashire County Council:

A) Registers its opposition to the Northern and Transpennine Express franchise requirement for driver only trains and Government's plans to make driver only trains mandatory.

B) Expresses its concern at the removal of on board conductors on The Northern and Transpennine routes as well as hundreds of essential rail jobs.

C) Believes that, if implemented the plan would result in cuts to funding, fare rises, service and timetable cuts and the loss of local rail jobs.

D) Also believe that as a result of the loss of skilled jobs, passenger service and passenger safety will be worsened by this plan to remove guards and conductors from services and introduce Driver Only Operated Trains.

E) Notes that these proposals come on top of rail fare hikes and the pre existing understaffing of many rail stations and the closure of ticket offices, making guards and on board conductors even more essential to passenger safety.

F) Believes that safeguarding and increasing staffing levels are the most effective way of improving security and passenger safety.

G) Notes that the driver is responsible for safe operation of the train and the on board conductor is responsible for the protection of the passengers.

H) Notes that currently, guards and on board conductors are fully trained in the operational safety, route knowledge, including safely securing doors, protecting the train and acting in emergencies such as driver incapacity

and therefore asks the Cabinet Member with responsibility of Transport, and as Lancashire County Council's representative on Rail North, to ensure that any negotiations in renewing the franchise will not result in cuts to staff and reduction in passenger safety.

County Councillor John Fillis moved the following **Amendment** which was seconded by County Councillor David Borrow:

Lancashire County Council:

A) Is aware of concerns that the new Northern and Trans Pennine Express Rail Franchise process could have an impact on staffing levels on trains.

B) **Recognises that passengers value the presence of staff during their journey and** expresses its concern at the potential removal of on board staffing on the Northern and Trans Pennine routes.

C) **Calls upon the government to maintain its current subsidy; to ensure that potential increases in resources through local management initiatives and increased passenger numbers is used to improve passenger services e.g. more trains, better trains; and to ensure that increases in revenue are not used to reduce government subsidy.**

D) **Recognises the importance of skilled jobs and transferable skills to ensure passenger service and safety; considers that the removal of on board staffing and the introduction of machine only ticketing may be detrimental to passenger service and safety; and notes that digitalisation of ticket services is considered a great benefit to many but it should be recognised that some people do not have the experience or access to the use of such benefits.**

E) Notes that these proposals come on top of rail fare hikes and the pre-existing understaffing of many rail stations and the closure of ticket offices, **along with poor rolling stock and overcrowded trains.**

F) **Believes that appropriate levels of staff and training, based on recognised risk assessment,** are the most effective way of improving security and passenger safety.

G) Notes that the driver is responsible for safe operation of the train and the on board staff are responsible for the safety of the passengers.

H) Notes that currently, guards and on board conductors are fully trained in the operational safety, route knowledge, including safely securing doors, protecting the train and acting in emergencies such as driver incapacity and believes that all rail staff should be trained in emergency procedures especially those on board staff.

The Council therefore asks the Cabinet Member with responsibility for Transport, and as Lancashire County Council's representative on Rail North, **to seek to influence the Department for Transport, through Rail North to promote a well-funded and affordable network that delivers opportunities for service growth and maintains high standards of safety."**

County Councillor Dowding accepted the Amendment, which was put to the vote and was carried and therefore became the substantive Motion, which was put to the vote and was carried and it was therefore,

Resolved: That,

Lancashire County Council:

A) Is aware of concerns that the new Northern and Trans Pennine Express Rail Franchise process could have an impact on staffing levels on trains.

B) Recognises that passengers value the presence of staff during their journey and expresses its concern at the potential removal of on board staffing on the Northern and Trans Pennine routes.

C) Calls upon the government to maintain its current subsidy; to ensure that potential increases in resources through local management initiatives and increased passenger numbers is used to improve passenger services e.g. more trains, better trains; and to ensure that increases in revenue are not used to reduce government subsidy.

D) Recognises the importance of skilled jobs and transferable skills to ensure passenger service and safety; considers that the removal of on board staffing and the introduction of machine only ticketing may be detrimental to passenger service and safety; and notes that digitalisation of ticket services is considered a great benefit to many but it should be recognised that some people do not have the experience or access to the use of such benefits.

E) Notes that these proposals come on top of rail fare hikes and the pre-existing understaffing of many rail stations and the closure of ticket offices, along with poor rolling stock and overcrowded trains.

F) Believes that appropriate levels of staff and training, based on recognised risk assessment, are the most effective way of improving security and passenger safety.

G) Notes that the driver is responsible for safe operation of the train and the on board staff are responsible for the safety of the passengers.

H) Notes that currently, guards and on board conductors are fully trained in the operational safety, route knowledge, including safely securing doors, protecting the train and acting in emergencies such as driver incapacity and believes that all rail staff should be trained in emergency procedures especially those on board staff.

The Council therefore asks the Cabinet Member with responsibility for Transport, and as Lancashire County Council's representative on Rail North, to seek to influence the Department for Transport, through Rail North to promote a well-funded and affordable network that delivers opportunities for service growth and maintains high standards of safety.

Jo Turton
Chief Executive

County Hall
Preston