

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 21 May, 2015

Present:

County Councillor Kevin Ellard (Chair)

County Councillors

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

1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Tim Ashton, Richard Newman-Thompson, Sandra Perkins, Paul Rigby and David Stansfield.

Announcements

Deaths

The Chairman reported the sad death of former County Treasurer, Mr Bill Jolliffe, who passed away after a short illness on 16 February 2015, aged 89. He had been the County Treasurer for nearly ten years from the mid-1970s.

The council stood in silent tribute and condolences were offered to his family.

Awards

The Chairman was proud to announce the following awards:

i. The Historic Bridge & Infrastructure Awards - Crook O'Lune East Viaduct in Lancaster

The County Council had been awarded a commendation from The Historic Bridge and Infrastructure Awards for its work, with others, to restore the Crook O'Lune East Viaduct in Lancaster. The county council designed and project- managed the scheme.

Kim Whalley, Senior Engineer (Highways) attended Full Council to represent the team.

ii. 2015 Recruiter Awards for Excellence – Best School Leaver Recruitment Strategy National Winners

The County Council's Employment and Support Team in the Skills, Learning and Development Service had won in the category 'Best School Leaver Recruitment Strategy' at the 2015 'Recruiter Awards for Excellence'.

The following officers attended to represent the team with their manager, Anne-Marie Morgan:

- Mike Barnes – Future Horizons
- Bee Bowman – Apprenticeships
- Bina Limbachia – Professional Apprenticeships and Trainees
- Nicola Clayton - WorkStart
- Scott Panaro - Ex Service Personnel Mentor

iii. **LGIU Councillor Achievement Award**

County Councillor Darren Clifford, Armed Forces and Veterans' Champion, had received an LGIU Councillor Achievement Award for the support he gives to the armed forces and veterans' community.

iv. **Chief Investment Officer Magazine's European Innovation Award for Public Sector Fund**

Lancashire County Pension Fund had been awarded the **'European Innovation Award for Public Sector Fund (below 15 billion Euro)'**.

The following officers attended to represent the team:

- George Graham, Director of Lancashire County Pension Fund
- Mike Jensen, Chief Investment Officer
- Keith Angood, Assistant Analyst

The Chair asked that the Council's congratulations for the above awards be placed on record.

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

The Full Council was notified that Members had been invited to make declarations of Pecuniary and Non-Pecuniary interests in matters on the agenda in accordance with the County Council's Code of Conduct for Members:

No declarations were made.

3. **Election of Chairman**

(County Councillor Kevin Ellard, the retiring Chair of the County Council presided for this item)

It was moved by County Councillor Bill Winlow and seconded by County Councillor Dorothy Lord that County Councillor Margaret Brindle be elected Chairman of the County Council.

There being no other nominations, it was:

Resolved: That County Councillor Margaret Brindle be elected Chairman of the County Council until the Annual Meeting of the Full Council in 2016.

County Councillor Brindle then took the Chair and made her Declaration of Acceptance of Office.

The Chairman paid tribute on behalf of Members to the valuable service tendered by the retiring Chairman, County Councillor Kevin Ellard.

4. Appointment of Vice Chairman

It was moved by County Councillor Jennifer Mein and seconded by County Councillor Darren Clifford that County Councillor Janice Hanson be appointed Vice-Chairman of the County Council.

There being no other nominations, it was:

Resolved: That County Councillor Janice Hanson be appointed Vice-Chairman of the County Council until the Annual Meeting of the Full Council in 2016.

County Councillor Hanson then took her place and made her Declaration of Acceptance of Office.

5. Confirmation of Minutes from meetings held 12 and 26 February 2015

Resolved: That the Minutes of the meetings of the County Council held on the 12 February and 26 February 2015 be confirmed and signed by the Chair.

6. Political Governance Working Group

At the meeting of the Full Council on 18 December 2014, the initial recommendations of the Political Governance Working Group had been presented. At that meeting, it had been agreed that a small number of outstanding issues should continue to be explored by the Working Group, with a further report to this meeting.

In moving the report County Councillor David Borrow drew attention in particular to the recommended changes to the Call In rules as set out in the report now presented.

Resolved: That,

1. i. The Commons and Town Greens Sub Group and Standing Joint Health Scrutiny Committee be disestablished.
- ii. The Overview and Scrutiny Call In rules be amended to include the following:
 - "Where a decision was subject to consideration by the Executive Scrutiny Committee, and where
 - i. no amendments had been proposed by the Executive Scrutiny Committee, and

- ii. the decision made was as set out to the Executive Scrutiny Committee
Then the Call In request must come from 5 county councillors representing more than one single political group."
 - iii. The Call In rules be amended to allow a submission to be made electronically via email.
- 2. The Political Governance Working Group be requested to conduct a review of Locality working and Full Council procedures and report on the outcome to a future meeting of Full Council.
- 3. The Director of Governance, Finance and Public Services be authorised to approve any consequential amendments to the Constitution arising from the decisions at 1 above.

7. Membership of Committees and Related Appointments for 2015/16

The Full Council was asked to:

- i. Determine the constitution and membership of Committees for 2015/16, as set out at a) in the report now presented; and.
- ii. Consider the appointment of the Chairs and Deputy Chairs of Committees for 2015/16, as set out at b) in the report now presented.

The Leader moved the report and proposed the names of Chairs and Deputies to be appointed, as set out below, which were seconded by County Councillor David Borrow. In moving the report the Leader pointed out that the Commons and Town Greens Sub-Committee and Pension Administration Sub-Committee had now been disestablished.

Resolved: That:

- i. The appointment of Members to Committees for 2015/16 in the proportional balances set out in the report now presented be approved, on the basis of nominations being made by the respective Political Groups in writing to the County Secretary and Solicitor;
- ii. The appointments of Chairs and Deputy Chairs of Committees for 2015/16, as now reported and set out below, be approved.

Committee	Chair	Deputy
Urgency Committee	J Mein	D Borrow

Overview and Scrutiny

Scrutiny Committee	B Winlow	A Barnes
Health Scrutiny	S Holgate	Y Motala
Education Scrutiny	C Dereli	S Charles
Executive Scrutiny	B Winlow	A Barnes

Other Committees

Developmental Control	M Dad	K Ellard
Regulatory	J Oakes	K Snape
Audit & Governance	T Brown	D Clifford
Pension Fund	K Ellard	M Parkinson
Corporate Complaints	M Iqbal	T Brown
Student Support Appeals	S Prynn	C Dereli
Employment Committee	J Mein	D Borrow

8. Appointment to Local Government Association General Assembly; Special Interest Group on Coastal Issues; County Councils' Network for 2015/16

The Full Council was asked to approve the appointment of representatives to serve on the Local Government Association (LGA) General Assembly for 2015/16 and to attend the Annual General Meeting of the General Assembly on 30 June 2015. The Full Council was also asked to appoint a representative to serve on the LGA Special Interest Group on Coastal Issues for 2015/16 and up to four representatives to serve on the County Councils' Network in 2015/16.

Resolved: That,

- i. County Councillors Jennifer Mein, David Borrow, John Fillis and Albert Atkinson be appointed to serve as the County Council's representatives on the Local Government Association (LGA) General Assembly for 2015/16;
- ii. The representatives approved at (i) above (or nominated substitutes) together with County Councillor Bill Winlow from the Liberal Democrat Group, acting in an observer capacity, be authorised to attend the 2015 Annual Meeting of the LGA General Assembly to be held in Harrogate on 30 June, and that County Councillor Mein carry the County Council's 12 corporate votes;

- iii. County Councillor Janice Hanson be appointed to serve of the Special Interest Group on Coastal Issues for 2015/16; and
- iv. County Councillors Jennifer Mein, David Borrow, Azhar Ali and Albert Atkinson be appointed to the County Councils' Network.

9. Combined Fire Authority - Appointment of County Council Representatives for 2015/16

The Full Council was asked to approve the appointment of 19 Members to serve on the Lancashire Combined Fire Authority until the Annual Meeting of the Full Council in 2016 on the basis of 9 Labour Members; 8 Conservative Members; 1 Liberal Democrat Member and 1 Independent Member.

Resolved: That the following Members be appointed to serve on the Lancashire Combined Fire Authority (CFA) until the Annual Meeting of the Full Council in 2016.

Labour	Conservative	Liberal Democrat	Independent
T Aldridge	P Britcliffe	J Sumner	E Oades
A Barnes	K Brown		
T Burns	G Gooch		
C Crompton	M Green		
F De Molfetta	D O'Toole		
S Holgate	M Perks		
R Newman-Thompson	J Shedwick		
M Parkinson	D Stansfield		
D Watts			

10. Police and Crime Panel for Lancashire - Appointment of County Council Representative for 2015/16

The Full Council was asked to approve the appointment of one member to serve on the Police and Crime Panel for Lancashire until the Annual Meeting of the Full Council in 2016.

Resolved: That the Lancashire County Council representative on the Police and Crime Panel would be County Councillor Jennifer Mein until the Annual Meeting of the County Council in 2016.

11. Electoral Review of Lancashire County Council's Area

The report explained that the Local Government Boundary Commission for England (LGBCE) had commenced an electoral review of the County Council's

electoral arrangements and that the first stage of the review was for the County Council to make a submission to the Commission on future Council size by 22 May.2015.

In moving the report, the Deputy Leader reported that the Political Governance Working Group had met to consider council size and recommended that the future size of the Council should remain at 84

Resolved: That,

1. The Political Governance Working Group's recommendation, that a future Council size of 84 be adopted as part of the current electoral review of the County Council, be approved.
2. The formal submission on Council size to the LGBCE, as set out in Appendix A to the report now presented, be approved.

12. Report of the Cabinet (Part B)

The Leader of the Council moved Part B of the report of the Cabinet from its meetings on 5 March and 2 April 2015.

Resolved: That Part B of the report of the Cabinet from its meetings on the 5 March and 2 April 2015 be noted.

13. Report of Urgent Key Decisions

Resolved: That the report of Urgent Key Decisions taken by the Deputy Leader of the County Council, the Cabinet Member for Children, Young People and Schools, the Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing during the preceding three months, as now presented, be noted.

14a. The Overview and Scrutiny Committees

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

- Scrutiny Committee – 13 February, 13 March and 17 April 2015
- Health Scrutiny Committee - 4 March and 14 April 2015
- Education Scrutiny Committee - 24 March 2015

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

14b. Audit and Governance Committee

County Councillor Clare Pritchard presented the report of the Audit and Governance Committee from its meeting on the 30 March 2015.

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

14c. Pension Fund Committee

County Councillor Terry Burns presented the report of the Pension Fund Committee from its meeting on the 27 March 2015.

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

14d. Urgency Committee

The Leader presented the report which set out decisions of the Chief Executive taken under the Council's Urgent Business Procedure on behalf of the Urgency Committee.

Resolved: That the report of decisions taken on behalf of the Urgency Committee, as now presented, be noted.

15. 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 27 April 2015.

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

Notices of Motion submitted under Procedural Standing Order 14.2.1(a).

1. It was moved by County Councillor Bill Winlow and seconded by County Councillor David O'Toole that:

Alt Crossens Catchment Pumping Stations, West Lancashire

The County Council notes the Environment Agency's response to the Scrutiny Committee's recommendations requesting that the proposals to switch off the secondary pumping stations in the Alt Crossens catchment be withdrawn. In light of the Environment Agency's intention to press ahead with the proposals to switch off the pumping stations, the Chief Executive is requested to write to the Department for Environment, Food and Rural Affairs (DEFRA) setting out the

County Council's opposition to the proposals and requesting that DEFRA revises the remit of the Environment Agency in respect of flood risk management priorities to include the protection of agricultural land where it contributes significantly to the economy of the area.

We also wish to express to DEFRA our concerns about the role of United Utilities in relation to the management of surface water. United Utilities collects a charge from residents to remove their surface water, but no longer admits to any responsibility for this service. Furthermore, it appears that it cannot under present legislation make a contribution to an Internal Drainage Board (IDB) should one be newly set up in the Alt-Crossens area.

This limited responsibility also affects their role in the planning process at District level. Many of the proposed new developments within the Crossens catchment are reliant on the network of pumps to convey the treated effluent to the Crossens pumping station and we feel that United Utilities' remit should reflect the importance of maintaining the pumping system as an integral part of the water management system serving the Crossens catchment of West Lancashire.

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

Resolved: That,

Alt Crossens Catchment Pumping Stations, West Lancashire

The County Council notes the Environment Agency's response to the Scrutiny Committee's recommendations requesting that the proposals to switch off the secondary pumping stations in the Alt Crossens catchment be withdrawn. In light of the Environment Agency's intention to press ahead with the proposals to switch off the pumping stations, the Chief Executive is requested to write to the Department for Environment, Food and Rural Affairs (DEFRA) setting out the County Council's opposition to the proposals and requesting that DEFRA revises the remit of the Environment Agency in respect of flood risk management priorities to include the protection of agricultural land where it contributes significantly to the economy of the area.

We also wish to express to DEFRA our concerns about the role of United Utilities in relation to the management of surface water. United Utilities collects a charge from residents to remove their surface water, but no longer admits to any responsibility for this service. Furthermore, it appears that it cannot under present legislation make a contribution to an Internal Drainage Board (IDB) should one be newly set up in the Alt-Crossens area.

This limited responsibility also affects their role in the planning process at District level. Many of the proposed new developments within the Crossens catchment are reliant on the network of pumps to convey the treated effluent to the Crossens pumping station and we feel that United Utilities' remit should reflect the importance of maintaining the pumping system as an integral part of the water management system serving the Crossens catchment of West Lancashire.

2. It was moved by County Councillor David Borrow and seconded by County Councillor Jennifer Mein that:

Council resolves:

1. To write to the Secretary of State for Environment, Food and Rural Affairs expressing concern at both current and proposed further water service charges affecting Lancashire County Council.
2. Council asks the Secretary of State to note that surface water highway drainage charges applied by United Utilities to local authorities are already charged at the highest rates in England and Wales. Her attention is drawn to United Utilities' proposals to phase-in new and further charges for Council premises and open spaces from April 2016 at a time when this local Government has sustained prolonged and unprecedented budget reductions.
3. The Secretary of State is asked to note the significant difference between what Councils within the United Utilities region are charged and what level of water services charges are applied to local authorities by all other water and sewerage companies in other regions
4. Council calls upon the Secretary of State to commission an independent review of the differing scale of charges facing public sector services for water and sewerage services. They are further asked to revise guidance on concessionary schemes that relate to section 43 of the Flood and Water Management Act 2010 to make clear that community assets managed by local authorities can be included within a concessionary scheme.

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

Resolved: That,

Council resolves:

1. To write to the Secretary of State for Environment, Food and Rural Affairs expressing concern at both current and proposed further water service charges affecting Lancashire County Council.
2. Council asks the Secretary of State to note that surface water highway drainage charges applied by United Utilities to local authorities are already charged at the highest rates in England and Wales. Her attention is drawn to United Utilities' proposals to phase-in new and further charges for Council premises and open spaces from April 2016 at a time when this local Government has sustained prolonged and unprecedented budget reductions.
3. The Secretary of State is asked to note the significant difference between what Councils within the United Utilities region are charged and what level of water

services charges are applied to local authorities by all other water and sewerage companies in other regions

4. Council calls upon the Secretary of State to commission an independent review of the differing scale of charges facing public sector services for water and sewerage services. They are further asked to revise guidance on concessionary schemes that relate to section 43 of the Flood and Water Management Act 2010 to make clear that community assets managed by local authorities can be included within a concessionary scheme.

3. It was moved by County Councillor Paul Hayhurst and seconded by County Councillor Liz Oades that:

This Council urges the new government to extend to the people of Lancashire the same rights as those proposed for Scotland in relation to shale gas, with any decisions regarding exploration or extraction in Lancashire devolved to Lancashire County Council.

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

Resolved: That the motion be not carried.

Jo Turton
Chief Executive

County Hall
Preston