

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 21st July, 2016

Present:

County Councillor Janice Hanson (Chairman)

County Councillors

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

1. Apologies and Announcements

Announcements

The Chairman reported the following deaths:

Former County Councillor Derek Lockwood OBE JP, who passed away peacefully at home on Tuesday 31 May 2016 with his family by his side after a short time in hospital. Mr Lockwood served as the Conservative County Councillor for the Blackpool Highfield and Stanley Electoral Division from May 1985 until May 1998 and served on a number of committees, including Policy and Resources, Education and Highways and Transportation. Mr Lockwood was also a former County Council Conservative Group Leader.

Former County Councillor Geoff Roberts who passed away in Southport Hospital on Monday 18 July 2016. Mr Roberts was elected as a Labour County Councillor to serve the Skelmersdale Central electoral division from 1997 until 2005.

During this period he held the position of chair of Development Control Committee Regulatory Committee and Lancashire Local West Lancashire. He also served on a number of committees including Highways and Transportation, Planning, Industrial Development and Tourism, Social Services and various Overview and Scrutiny Committees.

In addition, the Chairman invited Council to demonstrate its solidarity with and respect for the victims of the terrorist attack in Nice, the people of France and the victims of terrorism and violence everywhere, as well as in memory of Mr Lockwood and Mr Roberts, by standing for one minutes silence. The Full Council stood in silent tribute.

A number of members spoke in memory of both Mr Lockwood and Mr Roberts and offered condolences to their family and friends.

Chartered Institute of Highways Transportation (CIHT)/Department for Transport Reducing Sign Clutter Award

The Chairman was pleased to announce that at the recent 2016 CIHT awards, Lancashire County Council won the CIHT/Department for Transport award for reducing sign clutter. The award was for the reduction of sign clutter in relation to 'The Fishergate Central Gateway Project'.

The judges were impressed with the clear administrative process used and said that this logical and thorough approach to the principle that a scheme should start with nothing and only include what is truly required was exactly what they would like to see universally applied.

Peter Bell, Ginette Unsworth and Shaun Capper attended Full Council, representing the teams that had worked on this project and were congratulated by members.

National Award for Patient Safety – Preventing Avoidable Harm

The Patient Safety and Quality Improvement Team received an award for preventing avoidable harm at the recent Patient Safety and Congress Awards ceremony held in Manchester on 5 July.

The Chairman informed members that this award was for a project to prevent falls which was a significant public health concern.

The judges had said that the Lancashire County Council entry was a “fantastic multi-agency approach which demonstrated a superb first level intervention, co designed and co- produced with patients and families. It was an excellent example of the power of sharing data.

Ann Smith, Head of the Patient Safety and Quality Improvement team and Sumaiya Sufi, Area Manager attended Full Council to represent the team and members congratulated them on this award.

British Citizen Award for Service to Volunteering and Charitable Giving awarded to Julie Bell, Head of Libraries, Museums, Culture and Registrars

The Chairman informed Council that Julie Bell, Head of Libraries, Museums, Culture and Registrars had been awarded a British Citizen Award for service to volunteering and charitable giving in recognition of her long service to girl guiding.

Julie was nominated for her award by the young people she worked with. She had been a volunteer, working with Girl guiding UK for 35 years and started volunteering with the charity at the age of 15. Julie was the County Commissioner and regional Chief Commissioner for North West. Members offered their sincere congratulations on this wonderful achievement.

Armed Forces Covenant – Employer Recognition Scheme, Silver Award 2016.

Lancashire County Council had been named as a 2016 Defence Employers Recognition Scheme Silver Award winner. CC Darren Clifford, Armed Forces & Veterans Champion, received the award on behalf of the county council at a ceremony in Manchester on Thursday, 7 July.

The county council was nominated for the award by 42 Infantry Brigade, headquartered at Fulwood Barracks, Preston. The nomination stated, in part:

"Lancashire Country Council had been the driving force behind the improved delivery of the Armed Forces Covenant in the county. It had, through developing collaborative working with all other Local Authorities, enabled focussed support and delivery of service provision to the Armed Forces Community. It was held in high regard within the Headquarters and was rightly seen as a forward leaning and proactive partner".

Kieran Curran and Vanessa Carthy attended Full council with the plaque that the Council had been awarded and members congratulated them on their help in achieving this award.

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 interest in matters on the agenda in accordance with the County Council's Code of Conduct for Members. The following interests were declared:

Name of Councillor	Agenda item Number	Nature of interest (non-pecuniary unless stated)
A Barnes	B 8	Rawtenstall Bus Station - Leader of Rossendale Borough Council

3. Confirmation of the minutes from the meeting held on 26 May 2016

Resolved: That the Minutes of the meeting of the County Council held on 26 May 2016 be confirmed and signed by the Chairman.

4. Borrowing from the Municipal Bond Agency

In moving the report the Deputy Leader explained that following changes introduced by Government in 2010/11 the cost of the Council borrowing money had increased. In response, the Council as part of a Local Government Association initiative had contributed to the setting up of the Municipal Bond Agency (MBA), which was intended to reduce costs.

In order to borrow from the MBA the Council would need to enter into the Agency's Framework Agreement.

An amendment was moved and seconded that:

"This proposal potentially places the Council at serious financial risk and it is therefore resolved that:

Council defers consideration of this item and requests the Audit and Governance Committee to examine the potential risks in entering into the framework Agreement and the possible mitigation of those risks".

Upon being put to the vote the motion was CARRIED and it was:

Resolved: That consideration of this item be deferred and that the Audit and Governance Committee be requested to examine the potential risks of the County Council into entering into the Framework Agreement and the possible mitigation of those risks at its meeting on 26 September 2016 and a further report be presented to Full Council on 13 October 2016.

5. Transport for the North

The Full Council was asked to support in principle a draft 'Proposal to Establish a Sub-national Transport Body' and make a nomination to serve as the County Council's representative on Transport for the North.

Resolved: That,

1. The contents of the report be noted.
2. Support be given 'in principle' for the draft 'Proposal to Establish a Sub-national Transport Body' as set out in Appendix 'A' to the report and its submission to the Secretary of State.
3. This agreement 'in principle' be contingent on TfN drawing down powers from central government and not derogating powers from local transport authority arrangements or securing any reserve powers to determine, manage and/or deliver local transport responsibilities without the full support of the relevant local transport authority.
4. The Leader of the County Council be nominated to serve as Lancashire County Council's representative on Transport for the North and that the Deputy Leader be nominated as a substitute to attend meetings in the absence of the Leader of the Council.

6. The Council's Code of Corporate Governance

The Full Council was asked to approve a revised Code of Corporate Governance for the County Council which had been considered by the Audit and Governance Committee on 30 June 2016.

It was noted that Full Council in July 2015 had approved a new Code of Corporate Governance for the County Council and an Action Plan for 2015/16 which was based on the current guidance at that time. Full Council also agreed that the Code would be reviewed on an annual basis. The Full Council was informed that new guidance had been published earlier this year and as a consequence the Code of Corporate Governance had been updated to reflect the changes.

Resolved: That the revised Code of Corporate Governance, as set out at appendix 'A' to the report now presented be approved.

7. Revised Procurement Rules

The Full Council was asked to approve revision to the County Council's Procurement Rules including an amendment to the approval process for tender exercises which were deemed to be Key Decisions, in order to enhance the efficiency of decision making.

Resolved: That,

1. The revised Procurement Rules set out at Appendix 'A' to the report be approved.
2. The Rules be reviewed by the Procurement Board each year, and that the Director of Financial Resources be authorised to update the thresholds as required in line with changes to EU thresholds.
3. Where approval has been received from the Cabinet Member to undertake a tender process which is deemed to be a Key Decision, the subsequent award of the Contract on the satisfactory completion of the tender exercise shall not be deemed a Key Decision and can be approved by the relevant Head of Service or Director.
4. The Director of Governance, Finance and Public Services be authorised to make consequential amendments to the Constitution as required.

8. Report of the Cabinet (Part B)

The Leader of the Council moved Part B of the report of the Cabinet from its meeting on 9 June 2016.

Resolved: That part B of the report of the Cabinet from its meeting on 9 June 2016 be noted.

9. Report of County Council Committees

(a) Report of the Overview and Scrutiny Committees

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

- Health Scrutiny Committee – 24 May 2016 and 14 June 2016
- Scrutiny Committee – 13 May 2016

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

(b) Report of the Audit and Governance Committee

County Councillor Terry Brown presented the report of the Audit and Governance Committee from its meeting held on 30 June 2016.

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

(c) Report of the Pension Fund Committee

County Councillor Kevin Ellard presented the report of the Pension Fund Committee from its meeting held on 10 June 2016.

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

(d) Report of the Urgency Committee

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

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

10. Report of the Lancashire Combined Fire Authority (CFA)

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meeting on 20 June 2016.

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

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

1. It was moved by County Councillor Gibson and seconded by County Councillor Dowding that:

Lancashire County Council condemns racism, xenophobia and hate crimes unequivocally. Racism, xenophobia and hate crimes of any description have no place in our country or our county.

We are proud to live in a diverse and tolerant society and note that a lot of good work is taking place across Lancashire:

- The Lancashire Strategic Hate Crime Group is devising the hate crime strategy and there is a dedicated hate crime unit within Lancashire Constabulary.
- There are excellent examples of partnership working to tackle racism, xenophobia and hate crime between the County Council, Borough and District Councils, Lancashire Constabulary, the Office of the PCC and the voluntary, community and faith sectors across the County.

This Council wants to assure all of the County's residents and visitors that they are valued members of our society and as elected representatives of the diverse communities across Lancashire, Full Council is asked to place on record that the

County Council will not tolerate hate crime, racism or xenophobia in its communities.

This Council resolves to:

- Display the opening paragraph in this motion prominently on the county council website and that a press release is issued to publicise the motion.
- Ask the [scrutiny committee](#) to review the current measures taken to counter racism, xenophobia, and hate crime and report back to Full Council.
- Support and work with people who are victims of hate crime, racism or xenophobia to feel confident in coming forward and reporting it.

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

Resolved: That,

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- Support and work with people who are victims of hate crime, racism or xenophobia to feel confident in coming forward and reporting it.

2. It was moved by County Councillor Prynne and seconded by County Councillor Beavers that:

This Council notes that:

1. Last year many young people (aged 16 or over) left the care of Lancashire County Council and began the difficult transition out of care and into adulthood.
2. A 2016 report by The Children's Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them, are falling into debt and financial difficulty.
3. Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and end up in debt when leaving care.
4. In 'Keep on Caring: Supporting Young People from Care to Independence', July 2016, HM Government highlighted how local authorities can also support care leavers financially in lots of different ways, including introducing exemptions from council tax.
5. The Children and Social Work Bill, currently progressing through parliament, introducing a new 'Care Leavers Covenant' underpinned by statutory duties to make sure local authorities set out clearly the entitlements for care leavers including housing, jobs and healthcare.
6. The local authority has a duty of care to care leavers.

This council believes that:

1. To ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 25.
2. Care leavers are a particularly vulnerable group for council tax debt.

This council, therefore resolves:

1. To write to the Minister of State for Children and Families, urging him to introduce legislation for a national exemption for care leavers from council tax

up to the age of 25; specifically to introduce the following amendment to the Local Government Finance Act;

(1) In section 6, paragraph 4, after “or 4 (students etc.)” insert “or 11 (*Care Leavers*),”

- In schedule 1, following Paragraph 10 insert new paragraph 11:

Care Leavers

11.

(1) A person shall be disregarded for the purposes of discount on a particular day if—

(a) on the day he is a former relevant child within the meaning given by section 23C(1) of the Children Act 1989, and

(b) They are under the age of 25.

And also, in view of this, to amend the appropriate sections of the Children and Social Bill currently passing through Parliament, particularly looking at Chapter 2 Other Provision Relating to Children In England, *Combined Authority Functions Relating to Children*.

2. To write to all leaders of District councils across Lancashire County to make them aware of this issue and the opportunities to lobby central government as the above legislation is introduced. Future discussions could look at the opportunity through the use of partnership working and existing powers for further support to care leavers up to the age of 25.

County Councillor Charles moved an amendment to resolution 2) the effect of which would be "To write to all leaders of District Councils across Lancashire County Council and to all Members of Parliament covering the Lancashire County Council area....."

This amendment was accepted and on being put to the vote the motion was CARRIED and it was:

Resolved: That,

This council notes that:

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2. A 2016 report by The Children’s Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them, are falling into debt and financial difficulty.

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 - (1) In section 6, paragraph 4, after "or 4 (students etc.)" insert "*or 11 (Care Leavers),*"
- In schedule 1, following Paragraph 10 insert new paragraph 11:

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Other Provision Relating to Children In England, *Combined Authority Functions Relating to Children.*

2. To write to all leaders of District councils across Lancashire County and to all Members of Parliament covering the Lancashire area to make them aware of this issue and the opportunities to lobby central government as the above legislation is introduced. Future discussions could look at the opportunity through the use of partnership working and existing powers for further support to care leavers up to the age of 25.

Jo Turton
Chief Executive

County Hall
Preston