

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 24th May, 2018

Present:

County Councillor Terry Aldridge (Chairman)

County Councillors

A Ali	K Ellard	Mrs L Oades
T Ashton	D Foxcroft	G Oliver
A Atkinson	J Fillis	M Parkinson
M Barron	A Gardiner	J Parr
L Beavers	J Gibson	M Pattison
J Berry	G Gooch	E Pope
P Britcliffe	M Green	J Potter
I Brown	P V Greenall	J Purcell
P Buckley	N Hennessy	J Rear
T Burns	S Holgate	P Rigby
J Burrows	A Hosker	A Riggott
Mrs S Charles	D Howarth	M Salter
A Cheetham	K Iddon	J Shedwick
S Clarke	M Iqbal	D T Smith
A Clempson	A Kay	A Snowden
Ms L Collinge	H Khan	D Stansfield
J Cooney	E Lewis	P Steen
L Cox	Ms S Malik	J Sumner
C Crompton	J Marsh	M Tomlinson
M Dad	T Martin	C Towneley
B Dawson	J Mein	S Turner
F De Molfetta	J Molineux	A Vincent
G Dowding	S C Morris	C Wakeford
G Driver	Y Motala	D Whipp
J Eaton	E Nash	P Williamson
C Edwards	D O'Toole	B Yates

1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Paul Hayhurst; Mark Perks; Alan Schofield; Kim Snape and George Wilkins.

Announcements

Death

The Chairman reported the recent sad death of former County Councillor Baroness Farrington of Ribbleton, who passed away on 30 March 2018.

The Council stood in silent tribute.

Award

Lancashire County Council and the London Pensions Fund Authority have won the 2018 Pensions Scheme Innovation Award at the Pensions Age Awards for the establishment of the Local Pensions Partnership Ltd.

Abbi Leech, Head of the Pension Fund, and Helen Gallacher, Pensions Manager, were present at Full Council and were congratulated by Full Council on the award.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

3. Election of Chairman

County Councillor Terry Aldridge, the retiring Chairman of the County Council, presided for this item.

It was moved by County Councillor Peter Steen, and seconded by County Councillor David Stansfield, that County Councillor Anne Cheetham be elected Chairman of the County Council.

There being no other nominations, it was:

Resolved: - That County Councillor Anne Cheetham be elected Chairman of the County Council until the Annual General Meeting of the Full Council in 2019.

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

4. Appointment of Vice Chairman

It was moved by County Councillor Peter Buckley, and seconded by County Councillor Edward Nash, that County Councillor Paul Rigby be appointed Vice-Chairman of the County Council.

There being no other nominations, it was:

Resolved: - That County Councillor Paul Rigby be appointed Vice-Chairman of the County Council until the Annual General Meeting of the Full Council in 2019.

County Councillor Rigby then took his seat and made his Declaration of Acceptance of Office.

5. Confirmation of the Minutes from the Meeting held on 22 February 2018

Resolved: - That the minutes of the meeting of Full Council held on 22 February 2018 be confirmed and signed by the Chairman.

6. Delegation of Pension Administration Functions to Lancashire County Council

County Councillor Geoff Driver moved a report setting out details of a proposal to delegate the pension administration function of the Lancashire Fire and Rescue Service to Lancashire County Council pursuant to s.101 Local Government Act 1972.

Resolved: - That:

- (i) Approval be given to the delegation of the pension administration function of the Lancashire Fire and Rescue Service to Lancashire County Council pursuant to s.101 Local Government Act 1972, as set out in the report, now presented;
- (ii) That the Director of Corporate Services, in consultation with the Head of the Pension Fund, be authorised to enter into an agreement with Local Pensions Partnership Limited providing for Local Pensions Partnership Limited to deliver the necessary services to enable the county council to undertake this function on behalf of Lancashire Fire and Rescue Service, as set out in the report, now presented.
- (iii) That the Director of Corporate Services, under the council's scheme of delegation arrangements, be authorised to approve the delegation of the pension administration function held by another public sector organisation to the county council, and following consultation with the Head of the Pension Fund, to enter into an agreement with Local Pensions Partnership Limited providing for Local Pensions Partnership Limited to deliver the necessary services to enable the county council to undertake this function on behalf of the public sector organisation, as set out in the report, now presented.

7. Report of the Audit, Risk and Governance Committee - Code of Corporate Governance 2018/19

County Councillor Edward Nash moved a report setting out the recommendation of the Audit, Risk and Governance Committee to approve the county council's updated Code of Corporate Governance 2018/19.

Resolved: - That the recommendation of the Audit, Risk and Governance Committee to approve the county council's updated Code of Corporate Governance 2018/19 as set out in the report, now presented, be approved.

8. Report of the Political Governance Working Group

County Councillor David O'Toole moved a report setting out the recommendations of the Political Governance Working Group.

County Councillor John Fillis proposed the following amendment, seconded by County Councillor Azhar Ali:

Approve the changes proposed by the Political Governance Working Group to the Constitution, as set out in the report, with the exception of recommendation 14 so that the current open time for motions at full council is maintained.

The amendment was put to the vote and was lost.

County Councillor David Whipp proposed the following further amendment, seconded by County Councillor David Howarth:

Add to Recommendation (i);

“except for the following” –

Recommendation (7) Retain existing S.O. in relation to questions at Full Council (S.O. 6.2)

“A councillor may put a question to a member of the cabinet or chair of a committee on any matter within their responsibility or within the terms of reference of the committee which does not appear on the agenda provided that notice has been received by the Chief Executive at least 48 hours before the meeting.”

Rec (9) Retain existing process in relation to supplementary questions at Question Time

Rec (14) No time limit on motions.

Rec (16) All county councillors to have the right to speak at cabinet and committees of the county council

The amendment was put to the vote and was LOST.

County Councillor Erica Lewis moved a further amendment in respect of Standing Order 15 (Page 51 of the agenda) to allow the Chairman to waive the Standing Order where a Councillor cannot sit as well as cannot stand. County Councillor O'Toole accepted the amendment and the substantive motion was then put to the vote and was carried. It was therefore:

Resolved: - That:

- (i) The changes proposed by the Political Governance Working Group to the Constitution with the addition of the amendment put forward by County Councillor Lewis, as set out in the report, now presented, be approved;
- (ii) The Director of Corporate Services be authorised to make any consequential changes to other parts of the Constitution arising from these changes, as set out in the report, now presented;
- (iii) The Constitution of the County Council for the year 2018/19 be approved, as set out in the report, now presented, and it be noted that it is subject to ongoing review by the Political Governance Working Group.

9. Membership of Committees and Related Appointments for 2018/19

County Councillor Geoff Driver moved a report setting out details of the membership of Committees and related appointments for 2018/19.

Resolved: - That:

- (i) The Constitution and Membership of the Committees of the county council for 2018/19, as set out at a) to the report, now presented, be approved;
- (ii) The review of political balances on committees, as set out in the report, now presented, be noted and that approval be given to the invitation to the Liberal Democrat and Independent groups to agree the allocation of the 9 available committee seats between them;
- (iii) The appointment of Chairs and Deputy Chairs of those committees for 2018/19, as set out at b) to the report and as follows, now presented, be approved;

Committee	Chair	Deputy
Urgency	G Driver	A Atkinson
Overview and Scrutiny		
Scrutiny Committee	D O'Toole	J Rear
External Scrutiny	E Nash	D Stansfield
Children's Services Scrutiny	A Kay	N Hennessy
Health Scrutiny	P Britcliffe	S Morris
Education Scrutiny	C Wakeford	M Dad
Other Committees		
Development Control	B Yates	P Rigby
Regulatory	J Eaton	M Barron
Audit, Risk and Governance	A Schofield	E Nash
Pension Fund	E Pope	A Schofield
Corporate Complaints	G Wilkins	A Gardiner
Student Support Appeals	C Wakeford	

Employment
Conduct
Lancashire Health and
Wellbeing Board

G Driver
A Atkinson
S Turner

A Atkinson
P Buckley
G Gooch

- (iv) The disestablishment of the Employment Appeals Committee, as set out at c) to the report, now presented, be approved;
- (v) The appointment of David Owen to the Lancashire Local Pension Board as a Scheme Member representative, as set out at d) to the report, now presented, be noted.

10. Police and Crime Panel for Lancashire - Appointment of a County Council Representative for 2018/19

County Councillor Albert Atkinson moved a report asking Full Council to approve the appointment of one County Councillor to serve on the Police and Crime Panel for Lancashire until the Annual Meeting of Full Council in 2019.

County Councillor Atkinson proposed County Councillor Geoff Driver be appointed as the County Council's representative, seconded by County Councillor Graham Gooch.

County Councillor Azhar Ali proposed County Councillor Lorraine Beavers be appointed as the County Council's representative, seconded by County Councillor John Fillis.

County Councillor David Whipp proposed County Councillor Graham Gooch be appointed as the County Council's representative, seconded by County Councillor David Howarth. At this point, County Councillor Gooch indicated that he did not wish to accept his nomination.

On being put to the vote the nomination of County Councillor Lorraine Beavers was LOST. On being put to the vote, the nomination of County Councillor Geoff Driver was CARRIED. It was therefore:

Resolved: - That County Councillor Geoff Driver be appointed to serve on the Police and Crime Panel for Lancashire until the Annual Meeting of Full Council in 2019.

11. Lancashire Combined Fire Authority - Appointment of County Council Representatives for 2018/19

County Councillor Geoff Driver moved a report asking Full Council to approve the appointment of 19 members to serve on the Lancashire Combined Fire Authority until the Annual Meeting of the Full Council in 2019 on the basis of 10 Conservative members, 7 Labour members, 1 Liberal Democrat member and 1 Independent member.

Resolved: - That:

The following Members be appointed to serve on the Lancashire Combined Fire Authority until the annual meeting of the Full Council in 2019:

Conservative (10)	Labour (7)	Liberal Democrat (1)	Independent (1)
P Britcliffe I Brown S Clarke J Eaton A Kay D O'Toole M Perks J Shedwick D Stansfield G Wilkins	L Beavers F De Molfetta N Hennessy S Holgate T Martin M Parkinson M Tomlinson	D Howarth	L Oades

12. Appointments to the Local Government Association - General Assembly, and Special Interest Group on Coastal Issues for 2018/19

County Councillor Geoff Driver moved a report asking the Full Council to approve representatives to serve on the Local Government Association's General Assembly for 2018/19 and to attend the Annual General Meeting of the General Assembly in Birmingham on 3 July 2018. The Full Council was also asked to appoint one representative to serve on the LGA Special Interest Group on Coastal Issues for 2017/18.

Resolved; - That:

- (i) County Councillors Geoff Driver, Albert Atkinson, Susie Charles and Azhar Ali be appointed to serve on the LGA General Assembly for 2018/19;
- (ii) The County Councillors set out at (i) above, be authorised to attend the Annual Meeting of the Assembly to be held in Birmingham on 3 July 2018, and that the County Council's 12 votes be carried by County Councillor Geoff Driver;
- (iii) County Councillor Stephen Clarke be appointed as the County Council's representative to serve on the Special Interest Group on Coastal Issues for 2018/19.

13. Report of the Cabinet (Part B)

County Councillor Geoff Driver moved the report of the Cabinet from its meetings on 8 March, 12 April and 10 May 2018.

Resolved: - That the report of the Cabinet, now presented, be noted.

14. Report of Urgent Key Decisions

County Councillor Geoff Driver moved the report of urgent Key Decisions taken since the last meeting of Full Council.

Resolved: - That the report of urgent Key Decisions taken since the last meeting of Full Council, now presented, be noted.

15 (a) The Urgency Committee

County Councillor Geoff Driver moved the report of the Urgency Committee setting out details of decisions taken by the Interim Chief Executive and Director of Resources under the County Council's Urgent Business Procedure on behalf of the Urgency Committee.

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

15 (b) The Audit, Risk and Governance Committee

County Councillor Edward Nash moved the report of the Audit, Risk and Governance Committee from its meeting on 30 April 2018.

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

15 (c) The Pension Fund Committee

County Councillor Eddie Pope moved the report of the Pension Fund Committee from its meeting on 23 March 2018.

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

15 (d) The Overview and Scrutiny Committees

County Councillor David O'Toole moved the report of the Overview and Scrutiny Committees from their meetings as follows:

- Children's Services Scrutiny Committee - 14 March and 11 April 2018
- Education Scrutiny Committee - 27 March and 25 April 2018
- External Scrutiny Committee - 6 March 2018
- Health Scrutiny Committee - 5 March and 17 April 2018
- Internal Scrutiny Committee - 16 March 2018

Resolved: - That the report of the Overview and Scrutiny Committees, now presented, be noted.

16. Report of the Lancashire Combined Fire Authority

County Councillor Frank De Molfetta moved the report of the Lancashire Combined Fire Authority from its meetings on 19 February and 23 April 2018.

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

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

1. It was moved by County Councillor Frank De Molfetta and seconded by County Councillor David O'Toole that:

Lancashire Combined Fire and Rescue Authority remains committed to delivering the best possible service to Lancashire's communities, with the resources it has available. The county council notes that the fire and rescue authority continues to work productively and effectively with a range of stakeholders and that the fire and rescue authority also acknowledges the new statutory duty to collaborate with other emergency services, while recognising many initiatives were already in place or in development irrespective of this mandate.

The county council remains confident that current governance arrangements present the best way to deliver a fire and rescue service for Lancashire's communities, and notes that the fire and rescue authority will provide the information required for the work proposed by the police and crime commissioner, which it believes will evidence that collaborative opportunities are already being effectively progressed within existing structures.

Consequently, this council is opposed to any proposals that transfer any current responsibilities of the fire and rescue authority in Lancashire to the police and crime commissioner.

Lancashire County Council therefore asks the interim Chief Executive and Director of Resources to write to the Police and Crime Commissioner and the Home Secretary explaining this view, sending copies to all Lancashire members of parliament.

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

Resolved: - That:

Lancashire Combined Fire and Rescue Authority remains committed to delivering the best possible service to Lancashire's communities, with the resources it has available. The county council notes that the fire and rescue authority continues to work productively and effectively with a range of stakeholders and that the fire and rescue authority also acknowledges the new statutory duty to collaborate with other emergency services, while recognising many initiatives were already in place or in development irrespective of this mandate.

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Consequently, this council is opposed to any proposals that transfer any current responsibilities of the fire and rescue authority in Lancashire to the police and crime commissioner.

Lancashire County Council therefore asks the interim Chief Executive and Director of Resources to write to the Police and Crime Commissioner and the Home Secretary explaining this view, sending copies to all Lancashire members of parliament.

2. It was moved by County Councillor John Potter and seconded by County Councillor David Howarth that:

Lancashire County Council notes:

The disappointment felt by many Lancashire residents, parents and teachers, over the government announcement of a £50m fund to help grammar schools expand at a time when school budgets are very tight; and the prospect of new schools potentially being fully selective on religious grounds.

The clear evidence produced by the Institute of Fiscal Studies (IFS) that grammar schools do not improve social mobility. The conclusion of the IFS is that grammar schools may offer an opportunity to improve and stretch the brightest pupils, but it is likely to come at the cost of increasing inequality.

We further note that schools in partnership with Lancashire County Council could create a new generation of voluntary aided faith schools that would have the ability to be fully selective on grounds of religion.

Lancashire County Council believes:

That while we welcome the ability of councils to open new schools, the focus should not be on wholly selective, faith-based or free schools.

That the £50m fund should be used instead to help our struggling state schools and that the Government should repeal the rule that all new-state funded schools must be free schools or academies.

Lancashire County Council resolves:

To instruct the interim Chief Executive and Director of Resources to:

- (i) Write to the Secretary of State for Education to request a review of this initiative.
- (ii) Write to Lancashire MPs asking them to support the terms of this resolution.

The following amendment was proposed by County Councillor Susie Charles and seconded by County Councillor Philippa Williamson:

Lancashire County Council notes the government announcement of a £50m fund to help grammar schools expand.

We further note that schools in partnership with Lancashire County Council could create a new generation of voluntary aided faith schools that would have the ability to be fully selective on grounds of religion

We welcome the ability of councils to open new schools and instruct the interim Chief Executive and Director of Resources to write to the Secretary of State for Education to welcome the opportunity and new funding and to clarify how this new money can be best used for the benefit of children and young people in Lancashire.

The amendment was put to the vote and was CARRIED and became the substantive motion. The substantive motion was then put to the vote and was CARRIED. It was therefore:

Resolved: - That:

Lancashire County Council notes the government announcement of a £50m fund to help grammar schools expand.

We further note that schools in partnership with Lancashire County Council could create a new generation of voluntary aided faith schools that would have the ability to be fully selective on grounds of religion

We welcome the ability of councils to open new schools and instruct the interim Chief Executive and Director of Resources to write to the Secretary of State for Education to welcome the opportunity and new funding and to clarify how this new money can be best used for the benefit of children and young people in Lancashire.

3. It was moved by County Councillor Gina Dowding and seconded by County Councillor Shaun Turner that:

Lancashire County Council celebrates the success of ME (Myalgic Encephalomyelitis) Awareness Week, which ran from 6 to 12 May 2018 and acknowledges that people with ME, their families and ME organisations worked hard during the week to highlight the experience of people with ME/CFS (Chronic Fatigue Syndrome), and thanks all those with ME who attended events, such as

the Missing from Morecambe event, and Lancaster City Council for lighting up the Ashton Memorial in Lancaster in blue to raise awareness of this debilitating illness.

Lancashire County Council notes that an Early Day Motion had earlier been launched by Carol Monaghan MP:

"That this House recognises Myalgic Encephalomyelitis (ME) Awareness Week, from 6 to 12 May 2018 which aims to highlight the impact this invisible illness has on 250,000 people across the UK; recognises the fantastic work campaigners and charities are doing to highlight ME as a physical condition which is not all in the mind; acknowledges the detrimental effect of the PACE trials and its results, and the work which is being done to reverse this; and encourages people to go blue for ME across the week, to further bring this illness out of the shadows and into the spotlight".

Lancashire County Council therefore resolves, in support of the hundreds of people in Lancashire living with ME, to request that the interim Chief Executive and Director of Resources writes to all Lancashire MPs asking them to support any efforts to relieve the suffering of people with ME and encourage debate in Parliament on issues relating to ME including:

- Medical Education
- Need for an Early and Accurate Diagnosis
- NICE guideline review
- The PACE trial
- NHS services postcode lottery
- Problems relating to children (child care facilities)
- Severe ME (lack of domiciliary services and specialised units and difficulties accessing social care)
- DWP benefits
- Biomedical research

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

Resolved: - That:

Lancashire County Council celebrates the success of ME (Myalgic Encephalomyelitis) Awareness Week, which ran from 6 to 12 May 2018 and acknowledges that people with ME, their families and ME organisations worked hard during the week to highlight the experience of people with ME/CFS (Chronic Fatigue Syndrome), and thanks all those with ME who attended events, such as the Missing from Morecambe event, and Lancaster City Council for lighting up the Ashton Memorial in Lancaster in blue to raise awareness of this debilitating illness.

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- NICE guideline review
- The PACE trial
- NHS services postcode lottery
- Problems relating to children (child care facilities)
- Severe ME (lack of domiciliary services and specialised units and difficulties accessing social care)
- DWP benefits
- Biomedical research

4. It was moved by County Councillor David Whipp and seconded by County Councillor David Howarth that:

Council notes the reaction to proposed staffing changes at libraries in Pendle as a consequence of standardisation of library opening hours.

In view of the considerable concern expressed by library users, particularly in Colne, council requests that the portfolio holder reviews this issue in the hope of achieving a more acceptable outcome.

The following amendment was proposed by County Councillor Peter Buckley and seconded by County Councillor Joe Cooney:

Council notes the reaction to proposed staffing changes at libraries in Pendle as a consequence of standardisation of library opening hours.

Council is recommended to:

- Acknowledge the dedication and hard work of library staff across the County.
- Note that staff transfers between libraries are a necessary function of operational management, in accordance with established HR policies and procedures.

- Note that reopening of Barrowford library in January and the forthcoming reopening of Earby library increases library provision in Pendle by over 20%.
- Note that the revised Premises Use Policy provides additional flexibility for accessing library buildings outside of core opening times.
- Note the standardisation of library hours across the County into four Bands increases the cumulative total opening hours at a reduced cost to the taxpayer.
- Note that no member of library staff has been made compulsory redundant as part of the standardisation of library opening hours process.

The amendment was put to the vote and was CARRIED and became the substantive motion. The substantive motion was then put to the vote and it was CARRIED. It was therefore:

Resolved: - That:

Council notes the reaction to proposed staffing changes at libraries in Pendle as a consequence of standardisation of library opening hours.

Council is recommended to:

- Acknowledge the dedication and hard work of library staff across the County.
- Note that staff transfers between libraries are a necessary function of operational management, in accordance with established HR policies and procedures.
- Note that reopening of Barrowford library in January and the forthcoming reopening of Earby library increases library provision in Pendle by over 20%.
- Note that the revised Premises Use Policy provides additional flexibility for accessing library buildings outside of core opening times.
- Note the standardisation of library hours across the County into four Bands increases the cumulative total opening hours at a reduced cost to the taxpayer.
- Note that no member of library staff has been made compulsory redundant as part of the standardisation of library opening hours process.

5. It was moved by County Councillor Paul Greenall and seconded by County Councillor Gina Dowding that:

This Council notes the recent election of a new Conservative administration on Pendle Borough Council and that this administration was elected on a manifesto pledge to: “Look to establish a new Unitary Authority for Pennine Lancashire, this would ensure decisions on areas such as Highways, Education and Social Care are taken by one Council, closer to home”.

In recognition of this mandate, this Council instructs the interim Chief Executive and Director of Resources (and relevant county council officers) to co-operate positively with Pendle Borough Council (and any other interested parties within Lancashire), in order to help in the establishment of a new Unitary Authority for Pennine Lancashire.

The following amendment was proposed by County Councillor Joe Cooney and seconded by County Councillor Christian Wakeford:

This Council notes the recent election of a new Conservative administration on Pendle Borough Council and that this administration was elected on a manifesto pledge to:

“Look to establish a new Unitary Authority for Pennine Lancashire, this would ensure decisions on areas such as Highways, Education and Social Care are taken by one Council, closer to home”.

Council welcomes the new administration of Pendle Borough Council and notes discussions on Unitary Authority status will shortly be held across all parties in East Lancashire.

Council therefore resolves to await the outcome of these discussions and any firm proposals being put forward for consideration.

The amendment was accepted and became the substantive motion. The substantive motion was then put to the vote and was CARRIED. It was therefore:

Resolved: - That:

This Council notes the recent election of a new Conservative administration on Pendle Borough Council and that this administration was elected on a manifesto pledge to:

“Look to establish a new Unitary Authority for Pennine Lancashire, this would ensure decisions on areas such as Highways, Education and Social Care are taken by one Council, closer to home”.

Council welcomes the new administration of Pendle Borough Council and notes discussions on Unitary Authority status will shortly be held across all parties in East Lancashire.

Council therefore resolves to await the outcome of these discussions and any firm proposals being put forward for consideration.

Angie Ridgwell
Interim Chief Executive and
Director of Resources

County Hall
Preston