

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 28th February, 2019

Present:

County Councillor Anne Cheetham (Chairman)

County Councillors

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

1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Azhar Ali, Peter Britcliffe, Jenny Molineux, Jenny Purcell and Andrew Snowden.

Announcements

Mr Chris Kenny, Chief Fire Officer, Lancashire Fire and Rescue Service

The Chairman reported that Mr Chris Kenny would be retiring as Lancashire Fire and Rescue Service's Chief Fire Officer on 30 April 2019.

Mr Kenny had been Chief Fire Officer since October 2012 after joining the county in 2000. Before that he spent his early years working for Merseyside Fire and Rescue Service, and his service totalled forty years since originally joining Merseyside in 1978.

Full Council thanked Mr Kenny for his outstanding service to the people of Lancashire and wished him well in his retirement. County Councillor Frank De Molfetta, Chair of the Lancashire Combined Fire Authority, would convey the Full Council's appreciation and best wishes to Mr Kenny.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

There were no interests declared.

3. Question Time

County Councillors Kim Snape and Paul Greenall asked their respective questions as follows:

No.	Question From	Subject	For Answer by
1.	County Councillor Kim Snape	Ormskirk to Preston train line	Cabinet Member for Highways and Transport
2.	County Councillor Azhar Ali	Delayed Green Paper on Social Care Reform	Cabinet Member for Adult Services
3.	County Councillor Paul Greenall	West Lancashire Local Plan Review Preferred Options document	Cabinet Member for Highways and Transport

County Councillor Keith Iddon, Cabinet Member for Highways and Transport, replied.

Question 2 from County Councillor Azhar Ali would receive a written response due to him not being present to ask his question.

4. Confirmation of the Minutes from the Meetings held on 13 December 2018 and 14 February 2019

Resolved: - That the minutes of the meetings held on 13 December 2018 and 14 February 2019 be confirmed and signed by the Chairman.

5. Members' Allowance Scheme 2019/20

County Councillor Albert Atkinson moved a report setting out details of the proposed Members' Allowance Scheme for 2019/20.

The following amendment was proposed by County Councillor David Whipp, seconded by County Councillor David Howarth:

That the Special Responsibility Allowance for the Leader of the County Council (and Special Responsibility Allowances pro-rata to it) be reduced by 10%.

On being put to the vote, the amendment was LOST.

The following amendment was proposed by County Councillor Paul Greenall, seconded by County Councillor Paul Hayhurst:

1. Paragraph 8.1 of the Members Allowance Scheme (Appendix 'A') be amended as follows:

8.1 A Councillor including the Chairman and Vice-Chairman of the County Council, and or Co-opted member shall be entitled to receive travelling allowances for journey made within the County of Lancashire, subject to the following restrictions:

- a. Travelling Allowances will not be paid for journeys between a Member's and Co-opted member's home address and County Hall.
- b. For other journeys made within the County of Lancashire, Travelling Allowances will only be payable for journeys in excess of the agreed fixed mileage between a member's and Co-opted member's home address and County Hall (see paragraph 8.6).
- c. Travelling allowances will only be paid for journeys made beyond Lancashire in exceptional circumstances, which shall be approved by the Cabinet Member with responsibility for Members Allowances (see Schedule 'E' - Annex 2)."

2. Special responsibility allowance payments made to Group Whips and Group Secretaries as per schedule B, should be withdrawn.

On being put to the vote, the amendment was LOST.

The following amendment was proposed by County Councillor Gina Dowding, seconded by County Councillor Paul Hayhurst:

That Special Responsibility Allowance payments made to Group Whips be removed.

On being put to the vote, the amendment was LOST.

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

Resolved: - That the recommendations set out in the report, now presented, be noted and that the Members' Allowance Scheme for 2019/20 as set out in Appendix 'A' to the report, now presented, be approved.

6. The Localism Act 2011 - Pay Policy Statement 2019/20

County Councillor Geoff Driver moved a report setting out details of the county council's proposed 2019/20 Pay Policy Statement as required by the Localism Act 2011.

Resolved: - That the recommendations of the Employment Committee be noted and the Pay Policy Statement 2019/20, as set out at Appendix 'A' to the report, now presented, be approved.

7. Financial Threshold for Key Decisions

County Councillor Geoff Driver moved a report setting out a proposal to change the financial threshold above which decisions should be treated as Key Decisions as defined in Standing Order 19(1).

Resolved: - Full Council confirmed the financial threshold for Key Decisions, for the purposes of Standing Order 19(1), be increased to £1.6m, for 2019/20 as set out in the report, now presented.

8. Development Control Committee - Public Participation

County Councillor Michael Green moved a report setting out proposals resulting from a review of public participation at meetings of the Development Control Committee.

The following amendment was proposed by County Councillor Kevin Ellard, seconded by County Councillor Munsif Dad:

Refer this item to the meeting of the Development Control Committee on 8 May for consideration, invite County Councillor Green to participate, and bring this back the next Full Council meeting on 23 May.

In accordance with the requirements of procedural Standing Order B45(4), a recorded vote was taken. The names of the County Councillors who voted for or against the Motion and those who abstained are set out below:

For (37)

T Aldridge	B Dawson	N Hennessy	T Martin	J Potter
L Beavers	F De Molfetta	S Holgate	J Mein	K Snape
J Berry	G Dowding	A Hosker	Y Motala	J Sumner
T Burns	K Ellard	D Howarth	L Oades	M Tomlinson
L Collinge	J Fillis	M Iqbal	G Oliver	D Whipp

L Cox	J Gibson	H Khan	M Parkinson	
C Crompton	P Greenall	E Lewis	J Parr	
M Dad	P Hayhurst	S Malik	M Pattison	

Against (41)

T Ashton	A Clempson	K Iddon	P Rigby	A Vincent
A Atkinson	J Cooney	A Kay	A Riggott	C Wakeford
M Barron	G Driver	J Marsh	A Schofield	G Wilkins
I Brown	J Eaton	S Morris	J Shedwick	P Williamson
P Buckley	C Edwards	E Nash	D Smith	B Yates
J Burrows	D Foxcroft	D O'Toole	D Stansfield	
S Charles	A Gardiner	M Perks	P Steen	
A Cheetham	G Gooch	E Pope	C Towneley	
S Clarke	M Green	J Rear	S Turner	

Abstain (1)

M Salter

The amendment was therefore LOST.

The substantive motion was then put to the vote and was CARRIED.

In accordance with the requirements of procedural Standing Order B45(4), a recorded vote was taken. The names of the County Councillors who voted for or against the Motion and those who abstained are set out below:

For (42)

T Ashton	A Clempson	K Iddon	P Rigby	S Turner
A Atkinson	J Cooney	A Kay	A Riggott	A Vincent
M Barron	G Driver	J Marsh	M Salter	C Wakeford
I Brown	J Eaton	S Morris	A Schofield	G Wilkins
P Buckley	C Edwards	E Nash	J Shedwick	P Williamson
J Burrows	D Foxcroft	D O'Toole	D Smith	B Yates
S Charles	A Gardiner	M Perks	D Stansfield	
A Cheetham	G Gooch	E Pope	P Steen	
S Clarke	M Green	J Rear	C Towneley	

Against (37)

T Aldridge	F De Molfetta	S Holgate	J Mein	K Snape
L Beavers	G Dowding	A Hosker	Y Motala	J Sumner
J Berry	K Ellard	D Howarth	L Oades	M Tomlinson
L Collinge	J Fillis	M Iqbal	G Oliver	D Whipp
L Cox	J Gibson	H Khan	M Parkinson	
C Crompton	P Greenall	E Lewis	J Parr	

M Dad	P Hayhurst	S Malik	M Pattison	
B Dawson	N Hennessy	T Martin	J Potter	

Abstain (0)

It was therefore:

Resolved: - That:

- (i) The revised public speaking arrangements, as set out in the report, now presented, be approved for inclusion in the 'Protocol of Good Practice on Development Control Matters' at Appendix 'N' to the Constitution.
- (ii) The Director of Corporate Services be authorised to make any consequential amendments to the Constitution arising from these changes.
- (iii) The revised arrangements, as set out in the report, now presented, apply to planning applications that come before the Development Control Committee for consideration following this decision.

9. Re-appointment of Lancashire Local Pension Board Chair

County Councillor Eddie Pope moved a report setting out a proposal to re-appoint the current independent Chair of the Lancashire Local Pension Board.

Resolved: - That the re-appointment of Mr William Bourne as the independent Chair of the Lancashire Local Pension Board with effect from 1 April 2019 for an initial 2 years with an option for an extension for a further 2 years, as set out in the report now presented, be approved.

10. Urgent Business

There was no urgent business to be considered.

11. Report of the Cabinet (Part B)

County Councillor Geoff Driver moved the report of the Cabinet from its meetings on 3 December 2018, 17 January 2019 and 7 February 2019.

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

12(a) The Audit, Risk and Governance Committee

County Councillor Alan Schofield moved the report of the Audit, Risk and Governance Committee from its meeting held on 28 January 2019.

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

12(b) The Employment Committee

County Councillor Geoff Driver moved the report of the Employment Committee from its meetings on 14 January 2019 and 11 February 2019.

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

12(c) The Pension Fund Committee

County Councillor Alan Schofield moved the report of the Pension Fund Committee from its meetings on 30 November 2018 and 1 February 2019.

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

12(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 – 5 December 2018 and 16 January 2019

Education Scrutiny Committee – 6 December 2018

Health Scrutiny Committee – 11 December 2018

Internal Scrutiny Committee – 18 January 2019

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

12(e) The Lancashire Health and Wellbeing Board

County Councillor Shaun Turner moved the report of the Lancashire Health and Wellbeing Board from its meeting on 29 January 2019.

Resolved: - That the report of the Lancashire Health and Wellbeing Board, now presented, be noted.

13. Report of the Lancashire Combined Fire Authority

County Councillor Frank De Molfetta moved the report of the Lancashire Combined Fire Authority from its meeting on 17 December 2018.

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

14. To consider the Notices of Motion submitted under Standing Order B36

The Chairman informed Full Council that Notices of Motion 1 and 5 had been withdrawn and that Notice of Motion 5 would be re-submitted for the next meeting of Full Council on 23 May 2019.

2. It was moved by County Councillor Lizzi Collinge and seconded by County Councillor Julie Gibson that:

End Violence at Work Charter

Lancashire County Council recognises that many public service workers are subjected to violence and aggression in the course of their work. Evidence provided by UNISON highlights that in some contracted out services, public service workers are told by their employers to tolerate violence, suggesting assaults are just “part of the job”.

This council applauds UNISON for developing the ‘End Violence at Work Charter’ - which commits employers to ten basic actions to safeguard public service workers and provide support should they become the target of violence at work.

This council wishes to see far more employers confront the issue of violence in the workplace and therefore commits to:

Making the ‘End Violence at Work Charter’ a core part of our commissioning process.

Asking all existing service contract providers in Lancashire to sign up to the End Violence at Work Charter and make the award of new contracts dependent on a commitment by the organisation to sign the Charter.

This Council recognises that this approach is consistent with our ongoing commitment to an ethical procurement and commissioning process.

Further, council reiterates its opposition to violence at work in all sectors and reaffirms its commitment to working with its own employees and Trade Unions to ensure that all appropriate steps and support are in place to tackle the issue for its own workforce.

The following amendment was proposed by County Councillor Alan Vincent, seconded by County Councillor Geoff Driver:

LCC recognises that many public service workers are subjected to violence and aggression in the course of their work.

Unison believes that in some contracted out services, public service workers are told by their employers to tolerate violence, suggesting assaults are just “part of the job”.

Whilst LCC has no evidence of this, we agree with Unison and the other unions representing our staff that employers should, as we already do, provide safeguards within an action plan to end violence at work, and that their Charter provides a useful template for such a plan.

This Council will encourage all existing and future service contracts providers to us to provide safeguards within an action plan to end violence at work.

This Council recognises that this approach is consistent with our ongoing commitment to an ethical procurement and commissioning process.

Further, council reiterates its opposition to violence at work in all sectors and reaffirms its commitment to working with its own employees and Trade Unions to ensure that all appropriate steps and support are in place to tackle the issue for its own workforce including our commitment to a zero tolerance approach to violence.

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: -

LCC recognises that many public service workers are subjected to violence and aggression in the course of their work.

Unison believes that in some contracted out services, public service workers are told by their employers to tolerate violence, suggesting assaults are just “part of the job”.

Whilst LCC has no evidence of this, we agree with Unison and the other unions representing our staff that employers should, as we already do, provide safeguards within an action plan to end violence at work, and that their Charter provides a useful template for such a plan.

This Council will encourage all existing and future service contracts providers to us to provide safeguards within an action plan to end violence at work.

This Council recognises that this approach is consistent with our ongoing commitment to an ethical procurement and commissioning process.

Further, council reiterates its opposition to violence at work in all sectors and reaffirms its commitment to working with its own employees and Trade Unions to ensure that all appropriate steps and support are in place to tackle the issue for its own workforce including our commitment to a zero tolerance approach to violence.

3. It was moved by County Councillor Gillian Oliver and seconded by County Councillor Lorraine Beavers that:

Lancashire County Council Use of Bailiffs

Lancashire County Council instructed bailiffs to retrieve unpaid debts 6,065 times in the last 12 months.

Councillors are hearing about the distress these visits bring, and in some cases have received complaints about the bailiffs' perceived failure to act within the law.

This council commits itself to:

- (i) Ensuring bailiffs sent in its name know the law and act within it; and
- (ii) Seek an independent regulator for the sector and asks the Chief Executive and Director of Resources to write to Lucy Frazer MP, Parliamentary Under Secretary of State at the Ministry of Justice, requesting this.

On being put to the vote, the Motion was LOST.

4. It was moved by County Councillor Erica Lewis and seconded by County Councillor Steve Holgate:

Declare a Climate Emergency

According to the Intergovernmental Panel on Climate Change 1.5C report, published in October 2018, humanity has 12 years for “ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities” to deliver the “rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities” needed to turn this around, so we can avoid reaching tipping points where we no longer have the ability to avoid extreme weather events.

In recent years Lancashire has been subject to both flood and fire. Events that used to be described as 1 in 100 year events to many residents now seem to be regular events. The changes we are seeing in the climate have presented severe challenges to residents, business and organisations, impacting on property, transport, agriculture and other services in Lancashire. Globally millions of others have seen their communities disrupted and devastated with loss of life and livelihood. Many organisations have been working tirelessly for years to try to limit climate change, but action must happen faster. Business as usual is clearly no longer an option. We need local wisdom to increase our resilience and to prepare for the climate changes already in the system.

We recognise the current financial constraints the council faces and expect both development and implementation of action to become carbon neutral and make adaptations for climate change will need significant amounts of additional external funding. However, it should also be recognised that failing to act has a cost we cannot afford to pay, and that some actions may have a positive or neutral financial impact. Investing in sustainable energy production and climate change adaptation can deliver economic as well as social benefits through new jobs and savings as well as improved well-being for people locally and worldwide.

A number of councils across the country have already declared a climate emergency.

Lancashire County Council therefore:

- (i) Declares a 'Climate Emergency', and commits to making the operations and activities of Lancashire County Council Carbon Neutral by 2030.
- (ii) Recognises that answering the challenge of climate change is not work that can be done individually and therefore commits to working in partnership with councils, businesses, organisations and residents across the county to meet this challenge.
- (iii) Establishes a scrutiny task group to review the council's operations and identify the changes that need making so that appropriate measures can be included in next year's budget, and recommendations for action short of budget proposals can be taken as soon as possible.
- (iv) Calls upon the UK Government to provide councils across the country with the powers, resources and funding to enable the work that must be done.

The following friendly amendment, which was accepted by County Councillor Lewis, was proposed by County Councillor Gina Dowding to add as (v) and (vi):

Ensure that senior staff are fully aware of this commitment and Cabinet reports to Full Council every six months with the actions undertaken and planned to address this emergency.

Calls on the Government to safeguard Lancashire's environment by continuing to insist that the shale gas industry works within the current traffic light system and does not bow to pressure from the industry to lower the gold standard thresholds.

The following amendment was proposed by County Councillor Michael Green, seconded by County Councillor Charles Edwards:

According to the Intergovernmental Panel on Climate Change 1.5C report, published in October 2018, humanity has 12 years for "ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities" to deliver the "rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities" needed to turn this around, so we can avoid reaching tipping points where we no longer have the ability to avoid extreme weather events.

This Council welcomes the joint letter from the UK, Scottish and Welsh Government Ministers to the Committee for Climate Change, which asks for "the date by which the UK should achieve a net zero carbon target in order to contribute to the global ambitions set out in the Paris Agreement".

This Council notes, between 2015 and 2021, this Government is investing a record £2.6 billion in flood defences, maintained by colleagues from the Environment Agency. And the UK Government are on track to meet their manifesto commitment of better protecting 300,000 homes from flooding by 2021. The Council also anticipates the Environment Agency's new 50 year strategy which is being released later this year.

In the recently published County Council Corporate Strategy, Lancashire County Council declared "we will protect the county's environment and climate by investing in flood defence, energy efficiency and waste recycling".

Lancashire County Council therefore:

1. Notes the excellent progress made by the Authority thus far in exceeding the challenging targets set in the Lancashire Climate Change Strategy.
2. Recognises that answering the challenge of climate change is not work that can be done individually and therefore commits to working in partnership with councils, businesses, organisations and residents across the county to meet this challenge.
3. Calls on the Internal Scrutiny Committee to review the council's operations and to help identify how the Council's activities might be made net-zero carbon by 2030;
4. Calls upon the UK Government to continue to fund and support schemes that encourage action on climate change.

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: -

According to the Intergovernmental Panel on Climate Change 1.5C report, published in October 2018, humanity has 12 years for "ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities" to deliver the "rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities" needed to turn this around, so we can avoid reaching tipping points where we no longer have the ability to avoid extreme weather events.

This Council welcomes the joint letter from the UK, Scottish and Welsh Government Ministers to the Committee for Climate Change, which asks for "the date by which the UK should achieve a net zero carbon target in order to contribute to the global ambitions set out in the Paris Agreement". This Council notes, between 2015 and 2021, this Government is investing a record £2.6 billion in flood defences, maintained by colleagues from the Environment Agency. And the UK Government are on track to meet their manifesto commitment of better protecting 300,000 homes from flooding by 2021. The Council also anticipates the Environment Agency's new 50 year strategy which is being released later this year.

In the recently published County Council Corporate Strategy, Lancashire County Council declared "we will protect the county's environment and climate by investing in flood defence, energy efficiency and waste recycling".

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1. Notes the excellent progress made by the Authority thus far in exceeding the challenging targets set in the Lancashire Climate Change Strategy.
2. Recognises that answering the challenge of climate change is not work that can be done individually and therefore commits to working in partnership with councils, businesses, organisations and residents across the county to meet this challenge.
3. Calls on the Internal Scrutiny Committee to review the council's operations and to help identify how the Council's activities might be made net-zero carbon by 2030;
4. Calls upon the UK Government to continue to fund and support schemes that encourage action on climate change.

Notice of Motion 6 was ruled out of order in accordance with Standing Order B33(a), as it would have the effect of seeking to rescind the resolution made by Full Council under the previous Motion.

Angie Ridgwell
Chief Executive and
Director of Resources

County Hall
Preston