

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 17 December, 2015

Present:

County Councillor Margaret Brindle (Chairman)

County Councillors

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

1. Apologies and Announcements

Death

The Chairman announced the sad death of former County Councillor Doreen Pollitt who passed away after a long illness on the 24 October 2015.

Tributes were paid in her memory on behalf of the Labour, Conservative and Liberal Democrat Groups who also offered condolences to friends and family.

The council stood in silent tribute.

Awards

The Chairman was proud to announce that the County Council had won awards in two areas:

i) SPACES Civic Building of the Year Awards 2015.

The County Council had won in two categories:

- Tower Wood Outdoor Education Centre had won in the small project category.
- Nelson Whitefield Infants and Nursery had won in the education category.

The following officers attended to represent the team and acknowledge the Council's congratulations:

- **Andrew Howorth**, Head of Design
- **Philip Woodhouse**, Senior Quantity Surveyor
- **Neil Richards**, Senior Mechanical Engineer

ii) Children and Young People Now Award

The Council's Employment and Support Team had won the Recruitment and Professional Development Award.

The following officers attended to represent the team and acknowledge the Council's congratulations:

- **Pam Goulding**, Head of Service Skills, Learning and Development
- **Charlotte Iddon**, Employment and Support Programme Manager

2. Disclosure of Pecuniary and Non-Pecuniary Interests

The following members declared a non-pecuniary interest in Item 5, Proposal to develop a Combined Authority for Lancashire - Update Report, on the grounds that they are members of district councils who have or will decide(ed) whether to be part of the Combined Authority:

County Councillors T Ashton, M Barron, M Brindle, P Britcliffe, A Cheetham, M Green, D Howarth, A Kay, D Lord, D O'Toole, D Smith, J Sumner, V Taylor, D Whipp

3. Confirmation of the minutes from the meeting held on 22 October 2015

Resolved: That, subject to the inclusion of County Councillor G Molineux in the list of members present, the Minutes of the meeting of the County Council held on the 22 October 2015 be confirmed and signed by the Chair.

4. Report of the Cabinet (Part A)

Cabinet had considered, at its meeting on 26 November, a report about the updated Corporate Strategy and had recommended that Full Council approve it.

County Councillor Jennifer Mein moved the recommendations of Cabinet which were seconded by County Councillor David Borrow.

County Councillor David Whipp moved the following **Amendment** which was seconded by County Councillor Sandra Perkins:

Amend page 5 within "our evidence base" to read,

"We will provide services based upon sound evidence of need and in a way that is proportionate to the needs of *and accessible to all* our communities across Lancashire."

Add a further bullet point on page 7:

- **"Provide cultural opportunities"**

The Amendment also proposed that the section 'Our approach to service delivery' on pages 8 and 9 (up to 'Customer Focus') **be referred back to Cabinet for further consideration.**

On being put to the vote the Amendment was carried and became the substantive motion.

County Councillor Geoff Driver moved a further **Amendment** which was seconded by County Councillor Michael Green:

"Council is disappointed at the lack of clarity and the absence of a detailed statement setting out how the priorities will be measured and achieved.

Council therefore resolves that this matter be referred back to Cabinet for further consideration."

On being put to the vote the Amendment was lost.

County Councillor Gina Dowding then moved a further **Amendment** which was seconded by County Councillor Sandra Perkins. It related to page 35 of the agenda (Under the section heading Strategic Outcome: To live in a decent home); the end of the second paragraph:

Delete the last 12 words "that builders want to build on and where people want to live."

Add full stop after the previous words "good quality sites"

County Councillor Mein accepted the Amendment which became part of the substantive motion.

On being put to the vote the substantive motion was carried and it was,

Resolved: That the updated Corporate Strategy, as now amended, be approved subject to the section 'Our approach to service delivery' on pages 8 and 9 (up to 'Customer Focus') being referred back to Cabinet for further consideration.

5. Proposal to develop a Combined Authority for Lancashire: Update Report

Full Council had received at its meeting on 23 July 2015 a report summarising progress towards the development of the option of a combined authority for Lancashire.

At that meeting councillors noted that further work was underway to produce a Governance Review and a Scheme of Governance and it was agreed that Full Council would receive a further report on progress. The report now presented outlined the findings of the Governance Review and set out the next steps and recommendations. It was moved by County Councillor Jennifer Mein and Seconded by County Councillor David Borrow.

County Councillor Geoff Driver moved the following **Amendment** which was seconded by CC Michael Green:

"Council fully supports the creation of a Combined Authority for Lancashire but is disappointed at the lack of clarity and the lack of ambition in the proposal put by the leaders of the Councils in Lancashire. This proposal will not result in the devolution of powers and resources from Whitehall and will therefore not allow Lancashire to keep pace with developments in Manchester and Merseyside.

Council therefore resolves to refer this matter back to the Lancashire Leaders requesting them to put together a proposal for a Combined Authority in Lancashire that will:

(i) meet the Government's requirements for the devolution of powers and finances; and

(ii) enable Lancashire to compete with Manchester and Merseyside and to be a key player in the 'Northern Powerhouse'."

On being put to the vote the amendment was lost.

The original motion was then put to the vote and was carried and it was,

Resolved: That:

1. The contents of the report now presented be noted.
2. The contents of the Lancashire Governance Review and recommendation therein, set out at Appendix A to the report now presented, be noted.
3. The contents of the draft Scheme for the establishment of a Combined Authority, set out at Appendix B to the report now presented, be noted
4. Lancashire County Council was to take part in the public consultation in January/February which was to seek views on the formation of a Combined Authority for Lancashire.
5. Lancashire County Council was to consider the feedback from the public consultation and note that following this, those authorities who wished to form a Lancashire Combined Authority were to submit a proposal to the Secretary of State for consideration.
6. It be agreed in principle that Lancashire County Council was to become a constituent member of the combined authority for Lancashire
7. A special full council meeting be held on 24 March 2016 to give final consideration to Lancashire County Council becoming a constituent member of a Lancashire Combined Authority.

6. Revised Overview and Scrutiny Arrangements

Paul Bond, Head of Legal and Democratic Services, withdrew from the meeting during consideration of this item.

Full Council was asked to agree to the establishment of a new Children's Services Scrutiny Committee and consequential amendments to the Terms of Reference of the scrutiny committees, which were attached at Appendix A to the report now presented.

In addition, Full Council was asked to approve the appointment of a new Scrutiny Officer, a statutory post that the Council is required to have.

The Leader moved the report and nominated County Councillor Gina Dowding to be appointed Chair of the Children's Services Scrutiny Committee and this was seconded by CC Tony Martin.

County Councillor Geoff Driver nominated County Councillor Susie Charles as Chair and this was seconded by County Councillor Michael Green.

On being put to the vote County Councillor Gina Dowding was appointed Chair of the Children's Services Scrutiny Committee.

It was then moved by County Councillor Bill Winlow and seconded by County Councillor David Whipp that County Councillor Dorothy Lord be appointed Deputy Chair.

It was also moved by County Councillor Michael Green that County Councillor Susie Charles be appointed Deputy Chair at which point County Councillor Lord withdrew and on being put to the vote County Councillor Charles was appointed Deputy Chair.

All other recommendations were then put to the vote and it was,

Resolved: That

- i. A Children's Services Scrutiny Committee, comprising 13 county councillors, 5 non-voting district co-opted members and one non-voting co-opted Youth Council representative be established.
- ii. County Councillor Gina Dowding be appointed Chair and County Councillor Susie Charles be appointed Deputy Chair of the new Scrutiny committee for the remainder of the 2015/16 municipal year.
- iii. The revised Terms of Reference for the scrutiny committees as set out at Appendix A to the report now presented be approved.
- iv. The appointment of Paul Bond, Head of Legal and Democratic Services, as the Council's statutory Scrutiny Officer be approved.
- v. The Director of Governance, Finance and Public Services be authorised to make any consequential amendments to the Constitution.

7. Electoral Review of Lancashire County Council's Area

It was reported that on 17 November 2015 the Boundary Commission had published for consultation its draft recommendations for Electoral Division Patterns for the County Council, and the Full Council was now asked to consider recommendations from the Political Governance Working Group on its response to the Boundary Commission.

The Political Governance Working Group had met on 19 November and 7 December to consider the Boundary Commission's draft recommendations. It was noted that the Working Group had received two submissions from political groups to the Boundary Commission's draft recommendations. The amendments were supported by the Working Group as detailed in the report now presented.

County Councillor David Whipp moved an **Amendment** which was seconded by County Councillor Mohammed Iqbal. The Amendment is attached to these minutes as Annex 1. On being put to the vote the Amendment was carried and it was,

Resolved: That

1. The draft recommendations published by the LGBCE for Electoral Division Patterns for the County Council be noted.
2. Two amendments to the Boundary Commission's draft recommendations, one in the Preston City area and one in the Pendle District area, as detailed in the report and appendices now presented, be approved for submission to the Boundary Commission.
3. The further amendment to the Boundary Commission's draft recommendations, as now presented, and as set out at Annex 1 to these minutes, be approved for submission to the Boundary Commission.
4. It be noted that Political Groups/Parties, individuals and other bodies could make submissions on the draft recommendations direct to the Boundary Commission before the consultation deadline which ends on 11 January 2016.

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 the on the 26 November 2015.

Resolved: That the report of the Cabinet from its meeting on the 26 November 2015 be noted.

9. Report of Urgent Key Decisions

Resolved: That the report of urgent key decisions taken by the Leader of the Council and the Cabinet Member for Adult and Community Services during the preceding three months, as now presented, be noted.

10. The Overview and Scrutiny Committees

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

Committee	Date of Meeting
Scrutiny Committee	16 October 2015 13 November 2015
Health Scrutiny Committee	13 October 2015 24 November 2015
Education Scrutiny	21 July 2015 17 November 2015

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

10. Report of the Pension Fund Committee

County Councillor Kevin Ellard presented the report of the Pension Fund Committee from its meetings on the 10 and 27 November 2015.

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

11. 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 7 December 2015 and in doing so he congratulated and thanked the Fire Service on its response to the recent, exceptional flooding in parts of Lancashire.

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

At this point the Chairman called for a short adjournment.

Part C - Notices of Motion

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

1. It was moved by County Councillor Steve Holgate and seconded by County Councillor David Howarth that:

Lancashire County Council has spent significant time and resources ensuring that the process of determining planning applications on Fracking in Lancashire has been open, transparent and well informed.

The Development Control Committee received evidence and opinion from organisations both in favour of and opposed to Fracking, as well as from local resident groups, local businesses and public health professionals.

Whilst national government is rightly entitled to take a view and determine national policy regarding energy, we believe that the determination of individual planning applications should remain with the County Council as it is best able to consider local planning issues.

The Secretary of State is a member of a cabinet with a clear policy in favour of Fracking and he has made statements in favour of Fracking.

It is therefore inappropriate for him to determine the planning appeals on Roseacre Wood and Preston New Road in Lancashire because of clear evidence of pre-determination.

Lancashire County Council requests that the Secretary of State takes no part in the final determination of the Preston New Road or Roseacre Wood appeal decisions.

Council instructs the chief executive of Lancashire County Council to write to the Prime Minister and Secretary of State informing them of the opinions of the County Council.

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

Resolved: That,

Lancashire County Council has spent significant time and resources ensuring that the process of determining planning applications on Fracking in Lancashire has been open, transparent and well informed.

The Development Control Committee received evidence and opinion from organisations both in favour of and opposed to Fracking, as well as from local resident groups, local businesses and public health professionals.

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2. It was moved by County Councillor Clare Pritchard and seconded by County Councillor Janice Hanson that:

Right to Buy

Lancashire County Council proposes the following:

- That our Government follows the leadership of the Scottish Government in reversing the Right to Buy scheme for council houses;
- That the proposal to extend the Right to Buy scheme to Housing Associations be abolished;
- That the proposal to manage welfare spending by controlling council house rents be abolished as this goes against the move in 2012 to relinquish central government control and allows councils more freedom to manage their housing portfolios;
- That the Chief Executive of Lancashire County Council sends this resolution to the Secretary and Shadow Secretary of State for DCLG, the Housing and Shadow Housing Minister, the County's MPs, Housing Associations that operate across Lancashire, and all Lancashire district councils.

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

Resolved: That,

Lancashire County Council proposes the following:

- That our Government follows the leadership of the Scottish Government in reversing the Right to Buy scheme for council houses;
- That the proposal to extend the Right to Buy scheme to Housing Associations be abolished;
- That the proposal to manage welfare spending by controlling council house rents be abolished as this goes against the move in 2012 to relinquish central government control and allows councils more freedom to manage their housing portfolios;
- That the Chief Executive of Lancashire County Council sends this resolution to the Secretary and Shadow Secretary of State for DCLG, the Housing and Shadow Housing Minister, the County's MPs, Housing Associations that operate across Lancashire, and all Lancashire district councils.

3. It was moved by County Councillor Lorraine Beavers and seconded by County Councillor Nikki Hennessy that:

This Council calls on the Chancellor of the Exchequer, George Osborne, to reverse his decision to end bursaries to trainee nurses and replace them with student loans.

We believe that this will cause undue hardship and will deter people from training to become nurses.

Lancashire County Council resolves that the Chief Executive writes to the Chancellor of the Exchequer and the Health Secretary urging that their decision be reversed.

The Motion was put to the vote and six County Councillors requested a recorded vote in accordance with procedural Standing Order 15.2 (9.4).

The names of county councillors who voted for or against the Motion and those who abstained are set out below:

For (41)

T Aldridge	C Dereli	S Holgate	J Oakes
A Ali	G Dowding	D Howarth	M Parkinson
A Barnes	K Ellard	M Johnstone	N Penney
L Beavers	J Fillis	T Martin	C Pritchard
D Borrow	J Gibson	J Mein	S Serridge
M Brindle	J Hanson	G Molineux	R Shewan
T Brown	M Hassan	Y Motala	K Snape
C Crompton	P Hayhurst	B Murray	M Tomlinson
M Dad	C Henig	R Newman-Thompson	D Watts
B Dawson	N Hennessy	E Oades	B Winlow
F De Molfetta			

Against (24)

T Ashton	P Buckley	A James	J Shedwick
A Atkinson	S Charles	A Kay	D Smith
M Barron	M Devaney	D O'Toole	V Taylor
P Britcliffe	G Driver	M Otter	D Westley
K Brown	G Gooch	P Rigby	G Wilkins
I Brown	M Green	K Sedgewick	B Yates

Abstained (0)

Resolved:

This Council calls on the Chancellor of the Exchequer, George Osborne, to reverse his decision to end bursaries to trainee nurses and replace them with student loans.

We believe that this will cause undue hardship and will deter people from training to become nurses.

Lancashire County Council resolves that the Chief Executive writes to the Chancellor of the Exchequer and the Health Secretary urging that their decision be reversed.

4. It was moved by County Councillor Matthew Tomlinson and seconded by County Councillor Nikki Hennessy that:

School Surface Water and Highways Drainage Charges

Lancashire County Council notes:

1. That United Utilities is the body responsible for charging for drainage and surface water in Lancashire and across the North West region from Cheshire to Cumbria.
2. United Utilities charging system for E15 Surface Water and Highways Drainage uses an area based calculation for School Water and Sewage charges.
3. The E15 water and sewage charges made to schools cover all water and sewerage from schools but excludes repairs or maintenance costs.
4. Sefton Metropolitan Council produced a breakdown of charges comparing Regions and Local Education Authorities (LEAs) using Department of Education (DfE) information. The same data source also contains figures for Lancashire. The combined results are in the tables attached.
5. The North West is one of 10 Regions in England but pays over 29% of the total Schools Water and Sewage charges.
6. The South East region is the most similar to the North West both in terms of number of schools and number of pupils. The North West pays 2.4 times as much as the South East.
7. The LAs most similar to Lancashire in numbers of schools are Kent, Hampshire and Essex. Lancashire pays between 1.7 and 2.8 times as much per school as the others
8. The most similar LAs to Lancashire in numbers of pupils are Kent, Birmingham and Hampshire. The Lancashire E15 Schools Water and Sewage charges per pupil is £34.63. This is twice the figure for Kent and 2.9 times the cost per pupil in Hampshire.

Lancashire County Council believes:

1. That data from Pupil Premium spending shows that increasing the spend per pupil has clear and measurable effects on children's development and future life chances.
2. That by removing money from the schools in Lancashire, when compared to similar local authorities, all children in the county are being disadvantaged and their futures are being damaged.

Lancashire County Council resolves that:

The Chief Executive writes to the Chair of United Utilities, The Water Regulator (OFWAT), the Secretary of State for Education, and the Members of Parliament covering the County to express our complete dismay at the disadvantages being placed on the children in Lancashire because public funds aimed at their education are being diverted to United Utilities' balance sheet.

The Motion was put to the vote and was carried and it was,

Resolved: That,

Lancashire County Council notes:

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Lancashire County Council believes:

1. That data from Pupil Premium spending shows that increasing the spend per pupil has clear and measurable effects on children's development and future life chances.
2. That by removing money from the schools in Lancashire, when compared to similar local authorities, all children in the county are being disadvantaged and their futures are being damaged.

Lancashire County Council resolves that:

The Chief Executive writes to the Chair of United Utilities, The Water Regulator (OFWAT), the Secretary of State for Education, and the Members of Parliament covering the County to express our complete dismay at the disadvantages being placed on the children in Lancashire because public funds aimed at their education are being diverted to United Utilities' balance sheet.

5. It was moved by County Councillor Geoff Driver and seconded by County Councillor Michael Green that:

Council is disturbed to learn that at the same time as making staff redundant and proposing cuts in services to some of the most vulnerable people in Lancashire, the Leader of the Council has agreed to engage external Consultants at a cost of £6.6m.

On being put to the vote the Motion was not carried and it was,

Resolved: That the Motion was lost.

Interruption by a County Councillor

Following an exchange between the Chairman and County Councillor Geoff Driver CBE during the debate about the previous Motion, the Chairman moved, in accordance with SO 15 (Rules of debate), paragraph 7.1 of Appendix C, that Councillor Geoff Driver be not heard further.

The Motion was seconded and, in accordance with the Standing Order, it was put to the vote without discussion. The Motion was carried and it was,

Resolved: That County Councillor Geoff Driver CBE be not heard further.

County Councillor Paul Rigby requested that it be recorded in the minutes that he voted against the Motion.

6. County Councillor Tim Ashton had submitted a Notice of Motion about the Budget consultation relating to libraries and museums.

This Motion was not moved.

7. County Councillor Geoff Driver CBE had submitted a Notice of Motion relating to the findings of Ofsted following their inspection of LCC's Children's Services, and the Post Inspection Improvement Board

This Motion was not moved.

The following Motion was submitted after the normal deadline. The Chairman agreed prior to the meeting that the Motion should be accepted and discussed as it related to the recent serious flooding incidents in the north of the County.

8. It was moved by County Councillor Gina Dowding and seconded by County Councillor Bill Winlow that:

This Council expresses huge appreciation to the many staff and managers of local emergency services, voluntary and private sector organisations, as well as both the county and district authorities who contributed to and the safekeeping and care of local residents during and after the recent flooding and electricity blackouts in parts of Lancashire.

This Council will ensure that feedback is sought from staff and from residents when reviewing the response to the flooding in the weeks to come, and will look particularly to seek how communication with the public, with potential volunteers, and co-ordination between agencies can be improved in any future emergency event.

Similarly in the longer term, this Council will seek to involve residents and civic society viewpoints in any Resilience Commission that is set up to look at how communities can be better placed to respond to flooding or other local emergencies in their neighbourhoods as well as looking at how such floods can be mitigated, for example by preventative action upstream to reduce flooding in villages, towns and cities.

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

Resolved: That,

This Council expresses huge appreciation to the many staff and managers of local emergency services, voluntary and private sector organisations, as well as both the county and district authorities who contributed to and the safekeeping and care of local residents during and after the recent flooding and electricity blackouts in parts of Lancashire.

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Jo Turton
Chief Executive

County Hall
Preston