

## **Minutes**

At a meeting of the Full Council held at Council Chamber - County Hall, on Thursday, 17 July, 2014

### **Present:**

County Councillor Kevin Ellard (Chair)

### **County Councillors**

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

## **1. Apologies and Announcements**

Apologies for absence were presented on behalf of County Councillors Susie Charles, Dorothy Lord and Jeff Sumner.

### **Announcements**

#### **Death**

The Chairman reported the sad death on 15 May of former County Councillor and Honorary Alderman Eric Bamber. Tributes were paid in his memory on behalf of the Labour, Conservative and Liberal Democrat Groups who also offered condolences to his friends and family.

The council stood in silent tribute.

### **LARIA Awards (Local Area Research & Intelligence Association) Research Impact Awards 2014**

The Chairman was proud to announce that the county council had recently won three out of five LARIA awards and had been shortlisted in every category.

These awards recognised the impact of research at a local level and showcased the very best work in research and intelligence.

The Chairman gave brief details of the awards and members congratulated the relevant officers as set out below, some of whom were in attendance:

The County Council had won:

#### **Best use of local area research**

- Mel Greenslade,
- Scott Keay
- Jenny Davis

#### **Best use of health research**

- Gemma Jones
- Donna Gadsby

#### **New Researcher of the Year**

- Heather Walmsley

The County Council had been shortlisted for:

#### **Best community engagement/consultation**

- Mick Edwardson
- Sean Davies
- Heather Walmsley
- Rebecca Robinson

### **Best use of public data**

- Bryan Moulding,
- Jacqueline Evans,
- Paul Ayre
- Mike Walker

### **Ian Fisher**

The Chairman noted that Ian Fisher, County Secretary and Solicitor, was to leave the County Council at the end of the month. He thanked Ian, on behalf of the Full Council, for his excellent service over the years and wished him well for the future.

### **Lancashire Growth Deal**

At the Chairman's invitation, the Leader referred to the first wave of the Growth Deal which had been announced on 7 July. Lancashire Growth Deal was a new six year investment programme worth over £370million, agreed between the Government and Lancashire Enterprise Partnership (LEP). Lancashire had received the fourth largest allocation and work had already begun on projects to benefit the county. Members would be kept updated.

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

None disclosed.

## **3. Confirmation of Minutes from meeting held 15 May 2014**

**Resolved:** That the Minutes of the meeting of the County Council held on the 15 May 2014 be confirmed and signed by the Chair.

## **4. Report of the Cabinet (Part A)**

### **Lancashire Youth Justice Service Continuous Improvement Plan 2014/15**

The Cabinet had considered at its meeting on 15 July 2014 a report setting out the Lancashire Youth Justice Service Continuous Improvement Plan 2014/15 and agreed to recommend it to the Full Council for approval.

**Resolved:** That the Lancashire Youth Justice Service Continuous Improvement Plan 2014/15, as now presented, be approved.

## **5. Report of the Cabinet (Part B)**

The Leader of the Council moved Part B of the report of the Cabinet from its meetings on the 8 May and 5 June 2014.

**Resolved:** That the report of the Cabinet from its meetings on the 8 May and 5 June 2014 be noted.

## **6. Report of the Member / Officer Working Group on Political Governance Structures**

The Deputy Leader presented a report on the progress of the Member Officer Working Group on Political Governance.

**Resolved:** That the report of the Member Officer Working Group on Political Governance, as now presented, be noted.

## **7. Report of Urgent Key Decisions**

**Resolved:** That the report of Urgent Key Decisions taken by the Leader and Deputy Leader of the County Council, as now presented, be noted.

## **8. The Overview and Scrutiny Committees**

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

<b>Committee</b>	<b>Date of Meeting</b>
Scrutiny Committee	09 May 2014
	20 May 2014
	13 June 2014
Health Scrutiny Committee	10 June 2014
Education Scrutiny Committee	17 June 2014

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

## **8. Audit and Governance Committee**

County Councillor Terry Brown presented the report of the Audit and Governance Committee from its meeting on the 30 June 2014.

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

## **8. Pension Fund Committee**

County Councillor Terry Burns presented the report of the Pension Fund Committee from its meeting on the 6 June 2014.

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

## **9. 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 23 June 2014.

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

## **Notices of Motion (Part C)**

The Chairman reported, in accordance with Procedural Standing Order 14.3.2, that a proposed Notice of Motion submitted by County Councillor Michael Green had been ruled 'out of order'.

The Motion related to a recent decision by the Cabinet Member for Children, Young People and Schools about the transport policy for children with special educational needs and disabilities (SEND).

The following **Notices of Motion** had been submitted under Procedural Standing Order 14.2.1(a).

### **1. It was moved by County Councillor Cynthia Dereli and seconded by County Councillor Richard Newman-Thompson that:**

The Transatlantic Trade and Investment Partnership is a bi-lateral free trade agreement which is currently being negotiated by the US and the European Union. The talks aim to eliminate barriers to trade in goods and services, to guarantee investor rights and promote regulatory co-operation.

This Council notes:

1. that the Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the US and the EU supposedly to pursue the interest of free trade.

2. TTIP negotiations are being conducted behind closed doors between representatives of the EU and US without transparency or democratic accountability.
3. TTIP would open up access to government procurement markets and eliminate preferential treatment to local suppliers and introduce investment protection provisions that include investor state dispute settlement (ISDS) mechanisms which allow investors to challenge state actions which they perceive as threatening to their investment.
4. ISDS mechanisms allow for disputes between investors and governments to be heard by tribunals of “experts” rather than resolved by the host state’s courts. The United Nations Conference on Trade and Development (UNCTAD) recently explained that **“foreign investors have recently used ISDS claims to challenge measures adopted by states in the public interest (for example, policies to promote social equity, foster environmental protection or protect public health).”**

This Council believes that:

1. the TTIP negotiations are potentially catastrophic for public services as the EU/US representatives are negotiating to hand over the right to regulate in the public interest without transparency or accountability to their electorates.
2. ISDS mechanisms would make it hard for any government to reverse liberalisation and privatisation without being sued by foreign investors. So whatever voters actually wanted, the trade treaty would place major barriers in the way of government giving expression to their democratic will.

This Council resolves:

1. to write to the Prime Minister and the Secretary of State for Business Innovation and Skills raising our serious concerns about the TTIP.
2. Offer support to the campaign by Unite to defend the NHS which is drawing attention to the potential impact of the TTIP.
3. Write to all borough/district councils in Lancashire to urge them to join us in opposing the potential impact of the TTIP.
4. to write to the County Councils Network and Local Government Association to urge them lobby on behalf of all Local Authorities on the potential impact of the TTIP.
5. Do all we can to publicise the dangers arising from this trade agreement for our NHS and other public services and jobs.

County Councillor Gina Dowding moved the following **Amendment** which was seconded by County Councillor Liz Oades.

At point 1 under "This Council resolves"

That the words "north west MPs and MEPs" be added after the word "Skills" and that "and urge them to apply for UK opt outs, particularly exempting health and social services." be added at the end of point 1.

Following a period of debate the amendment was put to the vote and was lost.

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

**Resolved:** That,

This Council notes:

1. that the Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the US and the EU supposedly to pursue the interest of free trade.
2. TTIP negotiations are being conducted behind closed doors between representatives of the EU and US without transparency or democratic accountability.
3. TTIP would open up access to government procurement markets and eliminate preferential treatment to local suppliers and introduce investment protection provisions that include investor state dispute settlement (ISDS) mechanisms which allow investors to challenge state actions which they perceive as threatening to their investment.
4. ISDS mechanisms allow for disputes between investors and governments to be heard by tribunals of "experts" rather than resolved by the host state's courts. The United Nations Conference on Trade and Development (UNCTAD) recently explained that ***"foreign investors have recently used ISDS claims to challenge measures adopted by states in the public interest (for example, policies to promote social equity, foster environmental protection or protect public health).***

This Council believes that:

1. the TTIP negotiations are potentially catastrophic for public services as the EU/US representatives are negotiating to hand over the right to regulate in the public interest without transparency or accountability to their electorates.
2. ISDS mechanisms would make it hard for any government to reverse liberalisation and privatisation without being sued by foreign investors. So whatever voters actually wanted, the trade treaty would place major barriers in the way of government giving expression to their democratic will.

This Council resolves:

1. to write to the Prime Minister and the Secretary of State for Business Innovation and Skills raising our serious concerns about the TTIP.
2. Offer support to the campaign by Unite to defend the NHS which is drawing attention to the potential impact of the TTIP.

3. Write to all borough/district councils in Lancashire to urge them to join us in opposing the potential impact of the TTIP.
4. to write to the County Councils Network and Local Government Association to urge them lobby on behalf of all Local Authorities on the potential impact of the TTIP.
5. Do all we can to publicise the dangers arising from this trade agreement for our NHS and other public services and jobs.

**2. It was moved by County Councillor David Howarth and seconded by County Councillor Bill Winlow that:**

Council recognises that participation in school sports plays a vital role in the health and wellbeing of young people, and expresses concern that at a time when the United Kingdom has the highest rate of child obesity in Western Europe, research also refers to a sharp decline in those taking part in school sports.

It believes that to increase and develop participation in sport, our schools deserve appropriate facilities in which school playing fields are paramount, and regrets the loss of 257 school playing fields nationally since 1997 with numbers continuing to decline.

Council therefore resolves to protect against any further loss of school playing fields in Lancashire unless it can be determined that they are no longer needed.

Following a period of debate the motion was put to the vote and was carried and it was:

**Resolved:** That,

Council recognises that participation in school sports plays a vital role in the health and wellbeing of young people, and expresses concern that at a time when the United Kingdom has the highest rate of child obesity in Western Europe, research also refers to a sharp decline in those taking part in school sports.

It believes that to increase and develop participation in sport, our schools deserve appropriate facilities in which school playing fields are paramount, and regrets the loss of 257 school playing fields nationally since 1997 with numbers continuing to decline.

Council therefore resolves to protect against any further loss of school playing fields in Lancashire unless it can be determined that they are no longer needed.

**10. Exclusion of Press and Public**

**Resolved:** That the press and members of the public be excluded from the meeting during consideration of the following item of business on the grounds that there would be a likely disclosure of exempt information as defined in the paragraph of Part 1 of schedule 12A to the Local Government Act, 1972,



indicated against the heading to the item. It was considered that in all the circumstances the public interest in maintaining the exemption outweighed the public interest in disclosing the information

## **11. Report of the Cabinet (Part A)**

### **Financing the County Council's Borrowing Requirement**

The Cabinet had considered at its meeting on 15 July 2014 a report setting out proposals for financing the County Council's borrowing requirement and agreed to recommend it to the Full Council for approval.

**Resolved:** That the recommendations set out in the report now presented be approved.

Jo Turton  
Chief Executive

County Hall  
Preston